

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

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WRIT PETITION No. 10053 of 2015

ORDER:

The grievance of the petitioners precisely in this writ petition is that though the 1st petitioner submitted an application in Form-VI(A) on 20.11.2013 for issue of pattadar passbook and title deed in respect of the land in an extent of Ac.2-33 guntas in Survey No.246/E of Thirumalayapalem Village and Mandal, Khammam District, and followed it up with representations on 03.12.2013 and 10.12.2014 to the 4th respondent, the 4th respondent has not acted upon his application till date.

2. It is the grievance of the petitioners that the grandfather of the 1st petitioner viz., Maddineni Rangaiah was the owner and pattadar of the agricultural land an extent of Ac.2-33 guntas situated in Sy.No.246/E of Thirumalayapalem village and Mandal, Khammam District, and he has executed a Registered Gift Settlement Deed dated 15.12.2006 in favour of the 1st petitioner. However, the respondent Nos.6 and 7 by playing fraud obtained pattadar passbooks and title deeds for the said land from the Revenue Department. Against which, he preferred an appeal before the Revenue Divisional Officer, Khammam bearing R.C.No.A3/1613/2007 for cancellation of the passbooks and title deeds issued in favour of the respondent Nos.6 and 7, and the same was allowed on 12.07.2009 by the respondent No.3. It is further submitted that the 1st petitioner also filed a suit bearing O.S.No.206 of 2007 on the file of learned Senior Civil Judge, Khammam, against the respondents for declaring him as an absolute owner in respect of the subject land and for making necessary corrections in the revenue records by deleting the names of the respondent Nos.6 and 7, and the same was decreed on 31.10.2013. Thereafter, the respondent Nos.6 and 7 moved appeals one after another before the learned I Additional District Judge at Khammam in A.S.No.106 of 2013, later before the Hon'le High Court of Judicature at Hyderabad in S.A.No.161 of 2014 and then before the Hon'ble

Supreme Court in Special Leave Petition (Civil) NO.28100 of 2014, which were ultimately dismissed on 31.01.2014, 25.09.2014 and 15.10.2014 respectively. In the meanwhile, the petitioners made an application dated 20.11.2013 along with Form VI(A) to the 4th respondent to implement the judgment and decree dated 31.10.2013 in O.S.No.206 of 2007 passed by the learned Senior Civil Judge, Khammam and to issue pattadar passbooks and title deeds along with rectified pahanies from 2006-2007 till date pertaining to his land, which was followed up with his representations dated 03.12.2013 and 10.12.2014 to the 4th respondent. In spite of the directions given by the respondent Nos.1 to 3 to the respondent No.4 on 21.11.2013 and 29.10.2014, the respondent No.4 has not taken any action on his application. Hence, the present writ petition.

3. Learned counsel for the parties submit that the matter in the present writ petition is squarely covered by the orders of this Court in W.P.No.37635 of 2014 and batch.

4. This Court, by a Common Order dated 12.12.2014, disposed of the W.P.No.37635 of 2014 and batch, observing as follows:

“The petitioners have submitted the Applications in Form VI (A) on 15.07.2013 to the recording authority, the Tahsildar, Varadaiahpalem Mandal, the 4th respondent herein. Therefore, the 4th respondent shall deal with the Applications of the petitioners and pass appropriate orders, within a maximum period of three months, at any rate, before the end of March, 2015.”

5. Accordingly, this writ petition is disposed of directing the 4th respondent to consider the application of the petitioner submitted in Form VI (A) on 20.11.2013 and pass appropriate orders thereon in accordance with law, within a period of four months, at any rate, before the end of July, 2015. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition, shall stand closed.

CHALLA KODANDA RAM, J

Date: 09.04.2015

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