

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WRIT PETITION No.32035 of 2015

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ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Revenue appearing for respondents 1 to 4.

The petitioner's grievance is that the Tahsildar, Vemuru Mandal, Guntur District, the 4th respondent, has recorded the name of the 5th respondent in the revenue records without issuing notice to him and without looking into the objections raised by him, as early as on 26.05.2015. The petitioner also states that subsequently a legal notice was issued to respondents 4 and 5 and now that the 4th respondent has issued pattadar passbook and title deeds to the 5th respondent, the present Writ Petition is filed.

It is, however, noticed that the petitioner has not made any statutory representation/objections before the recording authority and straight away approached this Court and seeks a *mandamus* by filing this Writ Petition. It is well settled that unless there is a demand and refusal, *mandamus* cannot be issued. Therefore,

no relief as sought for by the petitioner can be granted to him. However, the petitioner is at liberty to make appropriate representation before the recording authority i.e., the

4th respondent and on receipt thereof, the 4th respondent shall consider the same and pass appropriate orders thereon, expeditiously.

The Writ Petition is, accordingly, disposed of. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

VILAS V.AFZULPURKAR, J

01.10.2015

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