

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 13053 of 2011

ORDER:

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Heard learned counsel for the petitioners and learned Government Pleader for Revenue appearing for the respondents. With the consent of the parties, the writ petition is disposed of at the admission stage itself.

The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of the respondents in not considering the application made by the petitioners for issuance of pattadar passbooks and title deeds and also not taking action on the representation made in the month of July, 2010, as illegal and arbitrary.

The averments made in the affidavit filed in support of the writ petition would show that the petitioners are the owners and possessors of land in S.Nos.468, 463/1, 650, 657/6, 657/4, 647/1A, 649/2, 660/1 and 662/1 situated in Kadiyam Mandal, East Godavari District. It is stated that the petitioners applied for issuance of pattadar passbooks and title deeds in the year 2009 after paying the requisite fee, as per the procedure laid down in Andhra Pradesh Rights in Land and Pattadar Passbooks Act, 1971. Thereafter, when the sisters of the 1st petitioner raised objections before the respondents with regard to issuance of pattadar passbooks and title deeds in favour of the petitioners, the respondents are said to have conducted an enquiry on the objections raised, after giving notice to all the concerned. However, no action was taken on the application of the petitioners. It is stated that in the month of July, 2010, the petitioners made a representation to the 1st respondent by marking copies to other respondents. But till date, no action has been taken even on the

representation. Hence, the present writ petition is filed.

A counter came to be filed by the 3rd respondent denying the averments made in the writ petition. It is stated that there are disputes between the 1st petitioner and his sisters with regard to land in some of the survey numbers mentioned above and O.S.No.472 of 2007 on the file of the IV Additional Junior Civil Judge, Rajahmundry came to be filed by the 1st petitioner against his sisters seeking injunction. It is stated that in view of pendency of the suit, the pattadar passbooks and title deeds could not be issued to the petitioners. However, since the request of the petitioners is only to consider their representation made in July, 2010, the learned Government Pleader for revenue submits that he has no objection for disposal of the same, provided the same is still pending consideration.

Having regard to the circumstances stated above and without going into the merits of the case, the Writ Petition is disposed of, directing the 3rd respondent to consider and dispose of the representation of the petitioners made in July, 2010, if it is still pending consideration, in accordance with law, within a period of ten (10) weeks from the date of receipt of a copy of the order. There shall be no order as to costs.

Consequently, miscellaneous petitions if any pending in the writ petition shall stand dismissed.

JUSTICE C. PRAVEEN KUMAR

4th September, 2015
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