

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 36477 of 2012

ORDER

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Heard learned counsel for the petitioners and Government Pleader for Revenue. With the consent of both the parties, the main writ petition is heard at the admission stage itself.

The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of the respondent in not issuing pattadar pass books and title deeds in favour of the petitioners in respect of land admeasuring Ac.0.20 gts., in Sy.No.699/AA situated at Chilkur Village, Moinabad Mandal, Ranga Reddy District, as illegal, arbitrary and violation of the provisions of the Record of Rights Act; and consequently to direct the respondents to issue pattadar pass books and title deeds in favour of the petitioners in respect of the said land.

The main grievance of the petitioners appears to be that the order dated 17.08.2012 passed by the respondent is bereft of any reasons as such the same needs to be set-aside.

The Government Pleader for Revenue opposed the same contending that the objection filed by some of the shareholders to stop the succession of the land was considered by the respondent while rejecting the request of the petitioners. Thus, it is contended that there are no merits in the writ petition and the same is liable to be dismissed.

A perusal of the order dated 17.08.2012 would show that the request of the petitioners was rejected on the ground that they failed to adduce any evidence and did not appear before the respondent. Consequently, the respondent directed both the parties to approach the civil Court for redressal of their grievance.

From the above, it is clear that the impugned order passed by the respondent is bereft of reasons. It is true that both the parties are not appearing before the respondent and no evidence was adduced before the authority. With a view to give final chance to the petitioners to contest the matter on merits, the order under challenge is set-aside and the Tahsildar, Moinabad Mandal is directed to pass order

afresh after giving notice to all the parties in dispute. It is needless to mention that both the parties shall place all the evidence available with them in support of their claim before the Tahsildar, Moinabad on the dates fixed by him.

With the above direction, the Writ Petition is disposed of. No order as to costs. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE C. PRAVEEN KUMAR

12.11.2015

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