

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 31985 OF 2011

ORDER:

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Heard learned counsel for the petitioners and learned Government Pleaders for Revenue. With the consent of both the parties, the Writ Petition is disposed of at the admission stage itself.

The present Writ Petition came to be filed seeking to declare the action of the respondents in not issuing pattadar pass books and title deeds to the petitioners in respect of various extents of lands in Survey Nos.66-2A, 70-2A, 61-2, 62-2A, 64-3, 65-3 and 71-1 situated at Edulavari Kandriga Village, Sydapuram Mandal, SPSR Nellore District, as illegal and arbitrary and consequently direct the respondents to forthwith issue pattadar pass books and title deeds to the petitioners.

The facts of the case in brief are as under:

The petitioners being Inamdars were granted ryotwari patta in respect of the lands admeasuring Acs.10.00 cents each in Survey No.1 of Edulavari Kandriga Village, SPSR Nellore District under Inam Abolition Act vide Form-III and were implemented in 10-1 Account of Edulavari Kandriga Village vide proceedings No.TH/RC/IA/5/83, dated 29.11.1983, issued by the Tahsildar, Rapur, bearing patta Nos.78, 79 and 80 of 10-1 account of Edulavari Kandriga Village. It is stated that the petitioners made a representation on 28.07.2009 to the third respondent seeking issuance of pattadar pass books and title deeds in respect of the said lands. After repeated persuasion, the third respondent vide proceedings Rc.ROR/1/2010, dated 25.05.2010, directed the Mandal Surveyor to conduct survey of the petitioners' land. Pursuant to the said direction, the Mandal Surveyor, surveyed and confirmed various extents of lands possessed by the petitioners. The Tahsildar also approved the records prepared by the Mandal Surveyor and forwarded the same to the Deputy Inspector of Surveyor, Sub-Collector Office, Gudur on 08.07.2010 for scrutiny and approval. It is stated that inspite of the above said facts, the petitioners were not granted pattadar pass books and title deeds. There is no response from the third respondent till date, even when the second respondent directed him to conduct enquiry with regard to the representation submitted by the petitioners for grant of pattadar pass books and title deeds. It is stated that the respondents are trying to

issue the assignment pattas to the third parties and hence there is an apprehension that the respondents may dispossess the petitioners from their lawful possession. Hence, the present Writ Petition.

Learned counsel for the petitioners submits that various representations made by the petitioners were not considered by the respondents till date. Though various grounds are raised in the Writ Petition, learned counsel for the petitioners restricts her prayer seeking a direction to the third respondent to pass orders on representation dated 05.02.2011 made by them to the third respondent seeking issuance of pattadar passbooks and title deeds.

Learned Government Pleader for Revenue submits that if really, the representations are made and if the same are not considered, a direction may be given to the respondents to pass orders in the above said representations, in accordance with law.

Without going into merits of the case and having regard to the circumstances stated above, the present Writ Petition is disposed of directing the third respondent to pass orders in representation dated 05.02.2011, said to have been made by the petitioner if it is still pending consideration, within twelve (12) weeks from the date of receipt of a copy of this order, in accordance with law. No costs.

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

JUSTICE C. PRAVEEN KUMAR

01.09.2015
vnb