

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

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W.P.No. 25542 of 2015

Between:

Pampana Leela and others

... Petitioners

and

The State of Andhra Pradesh and others

... Respondents

DATE OF JUDGMENT PRONOUNCED: 23.11.2015

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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| 1 | Whether Reporters of Local newspapers may be allowed to see the Judgments? | No |
| 2 | Whether the copies of judgment may be marked to Law Reports/Journals | No |
| 3 | Whether Their Ladyship/Lordship wish to see the fair copy of the Judgment? | No |

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THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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W.P. NO. 25542 of 2015

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ORDER:

Implead petition - WPMP No. 41882 of 2015 is ordered, since the proposed party is apparently a necessary party and it is also not opposed.

Heard learned counsel for the petitioners, learned counsel for the impleaded respondent No.5 and learned Government Pleader for Revenue appearing for the official respondents 1 to 4.

The petitioners state that they have filed an application under Form VI (A) read with Rule 18 and Sec. 4 (1) of the A.P. Rights in Land and Pattadar Pass Books Act, 1971 for issuance of pattadar passbooks and title deeds and their grievance is that the 4th respondent rejected their application under the impugned order on the ground that there was a dispute pending between the petitioners and the impleaded respondent No.5 with respect to the subject land vide P.L.C.No. 135 of 2014 on the file of the Visakhapatnam District Legal Services Authority.

This Court, on the earlier date of hearing, called for a report from the District Legal Services Authority and as the report was not submitted, an explanation was also called for. Now the explanation of the District Legal Services Authority dated 3.9.2015 was submitted which was examined and it is stated therein that a status report was already submitted to the Member Secretary, Andhra Pradesh State Legal Services Authority instead of this Court. The said explanation is accepted. The report sent by the District Legal Services Authority also shows that in the said PLC notices to all the respondents were

not yet served and it also gives reference to various proceedings pending in Courts including CC No. 312 of 2015 between the parties.

In any case, it is evident from the above that the said PLC is still pending. However, the impugned order rejecting the petitioners' statutory application merely on the ground of pendency of the said PLC cannot be approved and there is no restraint on the 4th respondent from considering the said application of the petitioners.

Hence the impugned order is set aside, the 4th respondent shall fix a date of hearing after giving notice to the petitioners as well as impleaded respondent No.5, hear both the parties and then take an appropriate decision in the matter as to whether pattadar pass books and title deeds are required to be issued to the petitioners or not, in accordance with law.

The writ petition is accordingly disposed of. Miscellaneous applications, if any, shall stand closed. No order as to costs.

VILAS V. AFZULPURKAR, J

Dt. 23.11.2015

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