

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 12066 of 2012

ORDER:

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Heard learned counsel for the petitioner and learned Government Pleader 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 inaction of the second respondent in disposing of the application No.NPP021004000, dated 07.02.2012 seeking issuance of pattadar pass books with regard to a land admeasuring Acs.3.71 cents in Survey No.175-3, Adavaipadu hamlet of Gurujanapalli Village, Karapa Mandal, East Godavari District as illegal and arbitrary.

The petitioner claims himself to be an absolute owner and possessor of agricultural land admeasuring Acs.3.71 cents in Survey No.175-3, Adavaipadu hamlet of Gurujanapalli Village, Karapa Mandal, East Godavari District, having purchased the same from his vendor under a registered sale deed dated 03.10.2011. On 07.07.2012, the petitioner made an application to the second respondent through E-Seva for obtaining pattadar pass books and title deeds. The said application was accepted by E-Seva with an endorsement and with acknowledgment that the patta shall be delivered on 23.03.2012. It is stated that though the petitioner made an application through E-Seva for issuance of pattadar pass books and title deeds on 07.02.2012, no steps have been taken for issuance of pattadar pass books and title deeds. Challenging the inaction of the second respondent, the present Writ Petition came to be filed.

Learned counsel for the petitioner vehemently urged that though he made application on 07.02.2012, till date, no orders are passed in the said application. Referring to paragraph No.12 of the counter affidavit, the learned Government Pleader submits that the representation of the petitioner was considered and an endorsement was made on 25.04.2012 itself rejecting the request of the petitioner, in view of the objections raised by one Ramisetty. It would be

relevant to extract Para No.12 of the counter affidavit which reads as under:

“...I have issued endorsement dated 27.04.2012 to the petitioner stating that due to objection filed by Ramiseti Suryanarayana, pattadar pass books are not issued for the Survey No.175/3 admeasuring Acs.3.71 cents situated in Adavipadu of Gurujanapalli Village. That the Hon'ble High Court has issued show cause notice to me on 27.04.2012 in W.P.No.12066 of 2012 and directed me to consider the petitioner application dated 07.02.2012 and pass appropriate orders in accordance with law. It is submitted that I have issued an endorsement to the petitioner on 25.04.2012 stating that due to objection received from Ramiseti Suryanarayana pattadar pass books will not be issued for Acs.3.71 cents in Survey No.175/3 of Gurujanapalli Village of Karapa Mandal. Hence the petitioner's application dated 07.02.2012 for pattadar pass books was disposed in accordance with law”.

It is urged that till date no order is passed and no order is communicated to the petition. The learned counsel for the petitioner submits that the averment in the counter referred to are all false.

Without going into merits of the case and having regard to the circumstances stated above, the Writ Petition is disposed of directing the respondents to consider the application dated 07.02.2012 made by the petitioner for issuance of pattadar pass books in respect of the land admeasuring Acs.3.71 cents in Survey No.175-3, Adavaipadu hamlet of Gurujanapalli Village, Karapa Mandal, East Godavari District and pass orders in accordance with law, if no orders are passed till date. If any orders are passed on the representation made by the petitioner, copy of the same may be communicated to the petitioner forthwith, enabling him to avail the remedies available under law.

With the above direction, the Writ Petition is disposed of. No costs.

Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE C. PRAVEEN KUMAR

30.10.2015

vhb

