

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 39363 of 2012

ORDER:

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Heard learned counsel for the petitioner 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 respondent Nos.3 and 4 in not mutating the name of the petitioner in the revenue records and also not issuing pattadar pass books and title deeds pursuant to the registered document No.2573 of 2012, dated 12.07.2012, as illegal, arbitrary and violative of principles of natural justice; and consequently direct the respondents to mutate the name of the petitioner in the revenue records and to issue pattadar pass book and title deed in his favour.

The averments in the affidavit filed in support of the writ petition are as under:

The petitioner claims to have purchased land admeasuring Ac.19.30 cents situated in Sy.Nos. 24, 25, 35 and 36 of Sangamvalasa Village, Parvathipuram Mandal, Vizianagaram District, through registered sale deed bearing document No.2573 of 2012, dated 12.07.2012. It is stated that the vendor of the petitioner purchased the said property from the original pattadars through registered document Nos. 463, 466, 470, 471, 490, 514, 518, 533, 548, 581, 652, 658, 673 and 821 of 1994. It is further stated that after purchase of the said land, the vendor of the petitioner planted various fruit plants and teakwood plants by spending huge amounts about 18 years back. Drip irrigation was also provided to the said land. By virtue of sale deed the petitioner made an application to mutate his name in the revenue records and to issue pattadar pass book and title deed in his favour, but there was no response from respondent Nos.3 and 4. Hence, the present writ petition.

At the time when the matter is taken up for hearing, the Government

Pleader for Revenue raised an objection that the issue of mutating the names in the revenue records and issuance of pattadar pass book and title deed would arise if the petitioner makes an application under Form 6-A and in the absence of the same, it may not be possible for the respondents to consider the request.

Learned counsel for the petitioner took time to verify whether an application was made under Form 6-A. Today, it has been brought to the notice of the Court that no such application was made till date.

Having regard to the circumstances stated above, I see no reason to pass an order directing the respondents to mutate the name of the petitioner in the revenue records and consequently to issue pattadar pass book and title deed. However, the petitioner, if so, advised to make a suitable application within two (02) weeks from today and in which event, the respondents are advised to dispose of the same in accordance with law within five (05) weeks thereafter, if the same is in order.

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

03.11.2015

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