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THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

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WRIT PETITION No.13444 of 2011

ORDER:

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The present writ petition is filed questioning the inaction of the respondents in issuing pattadar passbooks and title deeds in respect of the land an extent of Ac.03-23 guntas in Survey No.176/1 situated at Seethampet Village, Kothagudem Mandal, Khammam District as arbitrary and illegal and consequently direct the 3rd respondent for disposal of the representation made by the petitioner on 31-12-2010 to that affect.

The averments in the writ petition are as under:

The petitioner is the absolute owner and possessor of the agricultural land admeasuring Ac.03-23 guntas in Survey No.176/1 situated at Seethampet Village, Kothagudem Mandal, Khammam District and the same was acquired in a partition between himself and his elder brother by name Dara Subba Rao, who in turn acquired the said land under unregistered sale deed dated 12-01-1970 from its owner Sri Lavudya Budda for a valuable consideration. Ever since, they are in possession and enjoyment of said land till date. It is further averred that the vendor Lavudya Budda, during his life time, with malafide intention to grab the land made a claim before the 2nd respondent in Case No.1159/Kgm/79 against his brother Dara Subba Rao.

The 2nd respondent dismissed the said claim directing them not to interfere with their peaceful possession and enjoyment over the subject land. After the demise of said Lavudya Budda, his legal heirs though aware of above orders, made false claim before the 2nd respondent in Case No.194/KGM/91 claiming that the subject land was never sold by Lavudya Budda. The 2nd respondent dropped all

further proceedings vide order dated 27-09-1991 as already the matter was dealt by his predecessor and held in favour of brother of the petitioner. It is further averred that the petitioner made an application before the 3rd respondent to issue pattadar passbooks and title deeds in respect of the subject lands to him. But the 3rd respondent instead of issuing pattadar passbook and title deed, in collusion with the legal heirs of Lavudya Budda, sent a letter to the 1st respondent requesting him to review the orders of the 2nd respondent which were in their favour. The petitioner approached the 3rd respondent and filed several representation including the final representation dated 31-12-2010 for the issuance of pattadar passbook and title deed. Till date, the respondent authorities neither considered his representations nor issued the pattadar passbook and title deed. Hence, the present writ petition.

Without going into the merits of the case, the writ petition is disposed of by directing the 3rd respondent to dispose of the representation dated 31-12-2010 made by the petitioner in respect of the lands admeasuring Ac.03-23 guntas situated in Survey No.176/1 of Seethampet Village, Kothagudem Mandal, Khammam District, if the same is pending in accordance with law within a period of four weeks from the date of receipt of the order. There shall be no order as to costs. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE C.PRAVEEN KUMAR

07-07-2015

Nvl

