

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 4793 of 2015

ORDER:

Questioning the inaction of respondents 2 to 4 in issuing pattadar passbooks and title deeds inspite of their online application dated 21.11.2014, this writ petition is filed.

2. Briefly, the case of the petitioners is that they are the legal heirs of Late Mukkala Venkaiah who was the owner of lands in an extent of Ac.7-06 cents and Ac.11-20 cents in Survey Nos.2 and 3, respectively, of Tellapadu village, Kaligiri mandal, Nellore district, on the strength of ryotwari patta issued by the Settlement Officer on 12.06.1970. The petitioners state that due to demise of Venkaiah in the year 1984, they shifted to Chemidithipadu village in Prakasam district. While so, in the year 2007, on coming to know of a forged sale deed dated 23.02.1996 said to have been created by some unknown persons, the petitioners filed O.S.No.28 of 2007 before the Senior Civil Judge, Kavali, seeking declaration of title and permanent injunction. The said suit was decreed in favour of the petitioners on 30.04.2013. Consequent to the decree, the petitioners made an online application on 21.11.2014, enclosing a copy of Form-I and Form-VII(A) under the A.P. Rights in Land and Pattadar Passbooks Act, 1971 (for short, 'the Act') before the 4th respondent requesting to issue pattadar passbooks and title deeds, but no action is taken till date.

3. Learned Assistant Government Pleader submits that the application made by the petitioners is not in Form-VI (A) and hence the petitioners may be directed to make an application in Form-VI (A).

4. In the light of submissions made by the learned counsel for the parties, apparently though the petitioners have made an application to the respondent authorities but the same is not in Form-VI (A) which is

said to be the prescribed form under the Act. Hence, this Court is of the view that interests of justice would be served if the writ petition is disposed of with liberty to the petitioners to make an application to the 4th respondent in Form VI (A) by enclosing the details of their succession to the property, within a period of three weeks from the date of receipt of a copy of this order. On such application by the petitioners, the 4th respondent shall consider and pass orders, in accordance with law, within three months from the date of receipt of petitioners' application.

5. With the above direction, the writ petition is disposed of. No costs.

Miscellaneous petitions, if any pending in this writ petition, shall stand closed.

CHALLA KODANDA RAM, J

02nd March, 2015

KSM