HON'BLE SRI JUSTICE S.V. BHATT

WRIT PETITION No.30869 of 2014

ORDER:

The petitioner prays for Mandamus complaining against the inaction of respondent No.3 in concluding the enquiry directed through Memo No.G4/4441/2014 dated 15.05.2014, as illegal and contrary to Section 68(2) of the Registration Act, 1908.

Admittedly, on the memo addressed by the 2nd respondent, steps have been taken to ascertain the due execution or genuineness of gift deeds bearing Nos.1000/95 and 644/96. The case of petitioner is that one P.Ramayamma without right, title or authority gifted the land covered by Survey No.220/3 corresponding to Ward No.30, Block 70 of Kakinada. The complaint of petitioner is that the alleged gift deeds by Ramayamma in favour of Kakinada Municipality are illegal and, fraud has been played on the department and matter requires investigation and appropriate decision by the officers concerned with this responsibility.

The 3rd respondent filed counter affidavit and the 3rd respondent does not join issue with the petitioner on material allegations. On the alleged delay or inaction for finalising the enquiry, it is pleaded that as soon as enquiry is over, appropriate action will be taken. Without expressing any view on the merits or the grievance of the petitioner, the writ petition is disposed of by directing respondent Nos. 3 and 6 to complete the enquiry already initiated against the registration of gift deeds bearing Nos. 1000/95 and 644/96 and pass final orders within a period of three months from the date of receipt of a copy of this order. The Kakinada Municipal Corporation/4th respondent is also directed to cooperate with the 3rd and 6th respondents for expeditious completion of enquiry.

The writ petition is disposed of. No order as to costs.

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

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S.V.BHATT, J

Date:24.03.2015

Stp