

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.39749 of 2016

ORDER:

1) Heard learned counsel for the petitioner and Government Pleader for revenue. With the consent of both the parties, the writ petition is taken up for disposal at the admission stage itself. There is no necessity to put the unofficial respondent on notice as this Court is not venturing to adjudicate the issue on merits.

2) The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of the third respondent in trying to issue pattadar passbooks and title deed and to enter the name of fourth respondent in the revenue records pertaining to land admeasuring Ac.1.70 cents in R.S.No.328/ 1, Ac.1.85 cents in R.S.No.329/ 6, Ac.0.93 cents in R.S.No.331/ 1, Ac.0.82 cents in R.S.No.330/ 2 and Ac.0.94 cents in R.S.No.330/ 3 of Kalavalapalli Village, Chagallu Mandal, West Godavari District in spite of pendency of civil suit in O.S.No.285 of 2011 on the file of the Principle Senior Civil Judge, Kovvuru, as illegal, irregular, arbitrary and violative of the provisions of Rights in Land and Pattadar Pass Book Act, 1971; and consequently direct respondent Nos.2 and 3 not to affect any changes in the revenue records.

3) Though various grounds are raised learned counsel for the petitioner restricts his prayer seeking a direction to the official respondents to follow due process of law.

4) Having regard to the facts and circumstances of the case and without going into the merits of the case, the present writ petition is disposed of, directing the official respondents to hear the petitioner and all the affected persons before changing any entries in the revenue records pertaining to the subject land and pass orders in accordance with law. No order as to costs.

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

17.11.2016
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JUSTICE C. PRAVEEN KUMAR