

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.38122 of 2012

ORDER:

This writ petition is filed to direct the respondents 2 to 5 to issue pattadar passbooks and record of rights in respect of the land in Rs.Nos 1 to 5 and 7 to 10 of Mulakalapalli Village, Thotlavalluru Mandal and Krishna District to an extent of Ac.307-00 cents and in RS.Nos 80 to 101 and 116/1, 117, 118 and 119 of Illuru Village to an extent of land admeasuring Ac.315-00 cents.

Learned Senior Counsel Sri P.Raghuram for the petitioner submits that in pursuance to the application made by the petitioner, survey was conducted in the year 2005 in respect of the subject land and sub-division record was furnished by the survey team on 29-07-2005. As on today, no sub-division has taken place in respect of the subject land and no pattadar passbooks and title deeds were issued in favour of the petitioner.

On the other hand, learned Assistant Government Pleader for Revenue basing on the counter affidavit filed by the respondents stated that the petitioner has not made any application in Form VI-A prescribed under A.P.Rights in Land and Pattadar Passbooks Act (for short" the Act").

Learned Senior Counsel submits that unless sub-division is made, the petitioner cannot mention about

the same in Form VI-A. Even in the counter affidavit filed by the respondents 1 to 6, it is stated that at request of the petitioner, survey was conducted by survey team in the year 2005 and the sub-division record was furnished by survey team on 29-07-2005 and the same was forwarded to the Sub-Collector, Vijayawada on 02-08-2005. In the counter, it is also stated that the land claimed by the petitioner is classified as private Zerayat and it is not a government land and that the petitioner has to make proper application.

Without going into other aspects, since it is already stated that the survey was already conducted and sub-division has to be done, the competent authority basing on the survey conducted shall pass orders regarding sub-division of subject survey numbers and intimate the same to the petitioner. Thereafter, it is open for the petitioner to file application under Form VI-A prescribed under the Act. On such application, the respondent No.5-Tahsildar shall take appropriate action after issuing notice to the petitioner in accordance with law. The competent authority is to consider completion of the process of sub-division of Rs.Nos 1 to 5 and 7 to 10 of Mulakalapalli Village, Thotlavalluru Mandal and Krishna District to an extent of Ac.307-00 cents and in RS.Nos 80 to 101 and 116/1, 117, 118 and 119 of Illuru Village to an extent of

land admeasuring Ac.315-00 cents within a period of eight weeks from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

03-11-2016
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