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HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

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WRIT PETITION No.26901 of 2014

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ORDER:

This writ petition is filed for a writ of *mandamus* declaring the action of the 2nd respondent in not issuing pattadar passbooks and title deeds in respect of the land in Survey No.270, admeasuring Ac. 1.17 guntas, situated at Utkoor Village, Luxettipet Mandal, Adilabad District, by considering the petitioner's VI(A) application, dated 28.07.2014, which is filed under the provisions of the A.P. Rights in Land and Pattadar Passbooks Act, 1971, and Rules made there under as illegal, arbitrary and contrary to law and consequently direct the 2nd respondent to issue pattadar passbooks and title deeds in respect of the above said land by considering the petitioner's VI(A) application, dated 28.07.2014.

2. The case of the petitioner is that the petitioner is the absolute owner and possessor of the land in Survey No.270, admeasuring Ac. 1.17 guntas, situated at Utkoor Village, Luxettipet Mandal, Adilabad District. He purchased the same by virtue of registered Sale Deed bearing Document No.267 of 2014, dated 14.02.2014, purchased from its original owner Abdul Rizwak Khan, S/o.Abdul Rahman Khan and from the date of purchase, the petitioner is in possession and cultivating the same. The petitioner made an application in Form – VI (A) on 28.07.2014 to the second respondent intimating the acquisition of rights over the above said land by virtue of registered Sale Deed. As no orders are passed, the present writ petition is filed.

3. Heard learned counsel for the petitioner and the learned Assistant Government Pleader for Revenue for the respondents.

4. Learned Assistant Government Pleader for Revenue, on instructions, submits that the names of the vendors of the petitioner were removed from the revenue records. Appeals are filed by third party before the Revenue Divisional Officer and also several persons are claiming the same property. In view of the same, the petitioner's application, dated 28.07.2014, cannot be considered. However, it is to be seen that the petitioner claims to be the owner by virtue of registered Sale Deed, dated 14.02.2014. When the application is made, it is for the second respondent to consider whether the name of the petitioner can be mutated or not. It is for the second respondent to dispose of the application by giving reasons so that the petitioner will be able to challenge the same.

5. In view of the same, the second respondent is directed to dispose of the application filed by the petitioner on 28.07.2014, as per law, as expeditiously as possible, and communicate the same to the petitioner.

6. With the above observations, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

Date: 12th April, 2016

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HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

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