

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.20771 OF 2016

ORDER :

This writ petition is filed challenging the notice vide Lr.No.F3/2251/2016, dated 14.06.2016 issued by the 3rd respondent under Section 9 of the A.P.Rights in Land and Pattadar Pass Books Act, 1971 (for short 'the Act of 1971').

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

Learned counsel for the petitioner submits that there are civil suits and writ petitions pending between the parties, as such, notice under Section 9 of the Act of 1971 should not have been issued by the 3rd respondent. He has taken me through various proceedings, civil suits, first appeals and earlier writ petitions. He would further contend that entertaining revision under Section 9 of the Act of 1971 is also after long lapse of time.

On the other hand, learned Assistant Government Pleader for Revenue appearing for the respondents 1 to 5 submits that as on today, there is no stay with regard to conducting enquiry and that since the proceedings under Section 9 of the Act of 1971 are pending before the 3rd respondent, it is for the petitioners to file objections before the 3rd respondent.

In this case, the impugned proceedings are only in the form of notice and no adverse orders are passed against the petitioner. It is not the case of the petitioner that the 3rd respondent is lacking power to initiate proceedings under Section 9 of the Act of 1971.

In view of the facts and circumstances, I am not inclined to entertain the writ petition and same is accordingly dismissed. However, the petitioner is at liberty to raise all the objections before the 3rd respondent and 3rd respondent is directed to consider the same, after

issuing notice to the petitioner and affected parties and pass appropriate orders in accordance with law.

There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending in this writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

30.06.2016

kvs

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

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Date: 30.06.2016