

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.34899 OF 2016

ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue. With consent of the counsel appearing for both sides, the present writ petition is disposed of at the admission stage.

2. Since this Court is not going into the merits of the case, issuing notice to respondents 5 and 6 may not be necessary.

3. The present writ petition came to be filed with the following prayer:

“to issue an order/direction or any appropriate writ, more particularly one in the nature of Writ of Mandamus to direct the respondent Nos.3 and 4 to consider the objections dated 12.09.2016 before amending the record of right and consequential issuance of pattadar pass book and title deed in respect of Ac.0.12 cents of land in Sy.No.1263 situated in Pathathungapalem Village, Gudur Mandal, Nellore District in favour of respondent Nos.5 and 6 and consequently, direct the respondents to follow the procedure as mandated ROR Act, 1971 read with Rules thereunder.”

4. Though various grounds are raised, learned counsel for the petitioners mainly submits that in view of Section 5(3) of the Andhra Pradesh Rights in Land and Pattadar Pass Book Act, 1971 (for short, 'the Act') and Rules 19 and 20 of the Rules, 1989, made thereunder (for short 'the Rules'), the objections raised by the petitioners with

regard to amendment of Record of Rights in respect of third parties is not considered till date.

5. The same is not disputed by the learned Government Pleader for Revenue.

6. Having regard to the above and without going into the merits of the case, the Writ Petition is disposed of directing respondents 3 and 4 to consider the objections dated 12.09.2016 raised by the petitioners, questioning the amendment of Record of Right in lands situated in Sy.No.1263 admeasuring 12 cents of Pathathungapalem Village, in accordance with law, at the earliest, after hearing the petitioners herein and the aggrieved persons, if any. It is to be noted that objections shall be considered provided no orders are passed on the objections raised.

Miscellaneous Petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

---

JUSTICE C. PRAVEEN KUMAR

Date:18.10.2016  
INL