

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.13249 OF 2016

ORDER :

Heard counsel for the petitioner and the Government Pleader appearing for the respondents.

2. Petitioner is assailing an endorsement dt.06.04.2016 of the 2nd respondent declining to issue Pattadar Passbook and Title Deed in respect of the subject land.

3. Counsel for the petitioner contends that petitioner had obtained a decree for permanent injunction on 29.09.2015 from the Junior Civil Judge, Rayadurg in O.S.No.116 of 2010 against third parties and that on the basis of the said injunction order, he is entitled to be issued Pattadar Passbook and Title Deed in respect of the subject land.

4. The Government Pleader for Revenue appearing for the respondents on instructions states that petitioner's sisters also have a share in the property.

5. The said reason was not mentioned in the impugned endorsement, but it is stated therein that the final orders have to be received from the Court of Junior Civil Judge, Rayadurg, overlooking the fact that the decision dt.29.09.2015 in O.S.No.116 of 2010 itself is a final order, since it is a decree for permanent injunction and it is not an interim order. So, the reason given by the 3rd respondent in the impugned order is unsustainable and perverse.

6 Therefore, the Writ Petition is allowed; the impugned endorsement dt.06.04.2016 is set aside; and the 3rd respondent is directed to issue Pattadar Passbook and Title Deed to the petitioner in

respect of the subject land within a period of four (04) weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

7. Consequently, miscellaneous Petitions pending if any, shall stand closed.

M.S. RAMACHANDRA RAO, J

29th April, 2016.
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