

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.29843 of 2016

ORDER:

The case of the petitioner is that he was granted D-Form Patta in respect of the land to an extent of Ac.1.72 cents in Survey No.390 of Petlur Village and his name was mutated in the revenue records and was also issued pattadar pass book and title deed. Since the date of assignment the petitioner was cultivating the said land and he also obtained agricultural loan from the Pinakini Gramina Bank. While so, when petitioner obtained 1-B record and Adangal from Mee Seva on 22.08.2016 it was found that the name of the 5th respondent was entered in revenue records in respect of petitioner's land. Aggrieved by the same the petitioner preferred appeal before the 3rd respondent on 24.08.2016 along with stay application. As no orders are passed in the said appeal, present writ petition is filed.

Learned counsel for the petitioner submits that without issuing any notice to the petitioner, all of a sudden, his name was deleted from the revenue records in respect of the aforesaid land.

Learned Assistant Government Pleader for Revenue submits that the subject land claimed by the petitioner is a private land basing on the registered settlement deed executed by the father of the 5th respondent and that no appeal is filed.

It is to be seen that petitioner filed copy of the appeal filed along with endorsement of the 3rd respondent's office. In the revenue records, petitioner's name was entered and the same was shown as assigned lands for the year 2015. Pattadar pass books also goes to show that it is a D-Form patta issued to the petitioners in Survey No.390. Even otherwise, without issuing notice to the petitioner as envisaged under Section 5(3) of the A.P.Rights in Land and Pattadar Pass Books Act, 1971, the respondents deleted the petitioner's name from the revenue records.

In view of the same, since already appeal is pending before the 2nd respondent, the 2nd respondent is directed to consider the appeal and pass orders. Till then, entries in favour of 5th respondent in respect of the subject land in Survey No.390, Petlur Village, Kondepi Mandal, Prakasam District shall remain suspended.

With the above direction, the writ petition is disposed of.
No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY, J

15.09.2016
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