

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM
WRIT PETITION No. 26416 of 2016

ORDER:

Heard.

This Writ Petition is filed on an apprehension that pursuant to the application made by the 3rd respondent, by ignoring the objections and particularly the factum of pendency of suit filed by the petitioner, the 2nd respondent-Tahasildhar, Valigonda Mandal, is processing the said application for mutation in the revenue records and for granting pattadar passbooks in favour of the 3rd respondent.

The contention of the petitioner is that he has already issued a legal notice dated 26.04.2016 to the 2nd respondent specifically informing about the pendency of the civil suit i.e., O.S. No.33 of 2016 on the file of Senior Civil Judge, Bhongir, Nalgonda District, with regard to the subject property. In normal circumstances, the 2nd respondent ought not to proceed with the determination of the rights of the parties where a civil suit is pending. However, as per the rules governing under the Rule 9(1)(c)(ii) of the A.P. Rights in Land & Pattadar pass Books Rules, 1989 (in short "the Rules"), declaration is required to be made by the objecting party.

Considering the fact that the orders are yet to be passed by the 2nd respondent, petitioner shall be forthwith comply with the Rule (9)(1)(c)(ii) of the Rules. As and when such declaration is made in terms of the regulations, the 2nd respondent shall deal with the same in accordance with law.

With the above observation, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, Miscellaneous Petitions pending, if any, shall also stand closed.

JUSTICE CHALLA KODANDA RAM

Date:10.08.2016

Ssv