

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.43688 OF 2016

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for respondents 1 to 3. With their consent, the present writ petition is disposed of at the admission stage.

2. Since this Court is not going into the merits of the case, it may not be necessary to issue notice to respondent No.4.

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

“...to issue writ of mandamus or any other appropriate writ or direction declaring the action of the 3rd respondent in issuing the notice in Ref:B/ 1780/2016 dt.12-12-2016 for deletion of the name of the petitioner in revenue records of the property in an extent of Ac 0-18 cents in Sy.No.136-2 and 141-1 of Kolimeru Village, Tuni Mandal, East Godavari district at the instance of 4th respondent is illegal, arbitrary and Violative of Principals of natural justice and consequently set aside the same.”

4. Challenging the impugned notice dated 12.12.2016, wherein the petitioner was directed to appear before the 3rd respondent on 14.12.2016 at 10:00 A.M., along with records to answer the objections raised in the application made by the 4th respondent, the present writ petition came to be filed.

5. Learned counsel for the petitioner submits that without considering the objections to be filed by the petitioner, the respondent authorities may pass orders basing on the request of the 4th respondent.

6. Learned Government Pleader for Revenue would submit that any action going into be by the respondent authorities will only be in accordance with the procedure established by law.

7. Having regard to the submissions made, the Writ Petition is disposed of directing the 3rd respondent – Tahsildar, to consider the objections to be raised by the petitioner pursuant to the impugned notice dated 12.12.2016, which according to the petitioner would be filed by 19.12.2016, and pass appropriate orders in accordance with law, after hearing the petitioner, the 4th respondent and the aggrieved persons, if any, at the earliest.

Consequently, 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:16.12.2016
INL