

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No. 27800 of 2014

ORDER:

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This writ petition is filed to declare the action of the respondent authorities particularly 3rd and 4th respondent in not deleting the wrong entries made against the land to an extent of Ac.05-25 guntas situated in Sy.No.135/A of Azeeznagar Village, Moinabad Mandal, Ranga Reddy District belongs to the petitioner and also not issuing pattadar passbook and title deeds and Protected Tenancy Certificate under Section 38-E of Andhra Pradesh (Telanagana Area) Tenancy and Agricultural Lands Act, 1950 (for short "the Act") in respect of said land, as arbitrary and illegal.

It is stated that one Mohammed Ismail and Habi Mohammed, Sons of Late Abdul Khadhar are the absolute owners and original pattadars of the land to an extent of Ac.11-14 guntas situated at Sy.No.135 of Azeeznagar Village, Moinabad Mandal, Ranga Reddy District. They jointly sold the lands leaving an extent of Ac.05-25 guntas situated in Sy.No.135, Azeeznagar Village, Moinabad Mandal, Ranga Reddy District in favour of his father Late Katakam Buggaiah, who was the protected tenant and in physical possession and enjoyment of land to an extent of Ac.05-25 guntas and the said fact was entered in revenue records and after death of his father, the petitioner is in peaceful possession and enjoyment of the same. Original Pattadar was declared as non-surplus holder by then Land Reforms Tribunal vide its order dated 01-12-1976. The petitioners also made application to the 3rd and 4th respondent for grant of pattadar passbook and title deeds and to grant certificate under Section 38-E of the Act. As no action has been taken, the petitioner made representation on 20-10-2008 to the 2nd, 3rd and 5th respondent. Basing on the same, the 3rd respondent issued proceedings in Lr.No.G/2081/2008, dated 31-08-2009 to the 4th respondent- Tahsildar to enquire into the matter and submit report after verifying the records. In

pursuance of the same, the 4th respondent submitted report in Lr.No.B/1083/2010, dated 23-10-2010 to the 3rd respondent stating that the petitioner is in possession of land to an extent of Ac.05-25 guntas in Sy.No.135/2 by growing vegetables since long time and the PT Register is not available in the office and the land claimed by the petitioner is also deleted from the holding of the pattadar Mohd Ismail. Even after submission of report, no action has been taken. Again, the petitioner made representation to the 3rd respondent on 27-08-2013 for taking appropriate action in pursuance to the report submitted by the 4th respondent to the 3rd respondent in Lr.No.B/1083/2010, dated 23-10-2010. Aggrieved by the same, the present writ petition is filed.

Heard learned counsel for the petitioner and the learned Assistant Government Pleader for Revenue.

Since already action has been initiated in pursuance to the representation submitted by the petitioner on 20-10-2008 by way of issuing proceedings dated 31-08-2009 by the 3rd respondent to enquire into the matter by the 4th respondent and the 4th respondent already submitted report in pursuance of the same, it is for the 3rd respondent to take appropriate action on the same.

In view of the same, the 3rd respondent is directed to dispose of the representation dated 20-10-2008 made by the petitioner in accordance with law, within a period of eight weeks from the date of receipt of copy of order.

Accordingly, this writ petition is disposed of. As a sequel thereto, miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed.

A.RAJASHEKER REDDY,J

18-04-2016
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