

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.No.38941 of 2012

ORDER:

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The petitioner is the owner of land to an extent of Ac.05-90 cents in Sy.Nos.1040, 930/1, 1272/2, 1150/1, 1150/2, 1150/4 and 1128/1 of Nossam Village, Sanjamala Mandal, Kurnool District by virtue of registered sale deed in document No.836/2012, dated 21-04-2012 having purchased the same from his father. It is stated that subject property is the self acquired property of his father. Due to financial difficulties, his father sold away the above property to the petitioner and since the date of purchase, he is in possession and enjoyment of the same. As per revenue records, petitioner is pattadar and owner of the schedule property. It is stated that the petitioner made a representation dated 15-05-2012 before the 2nd respondent for issuance of pattadar passbook and title deed. As the respondents have not considered the same, the present writ petition is filed.

Counter is filed by the respondents stating that since there are disputes between the petitioner and his brother, the petitioner was not issued pattadar passbooks. The petitioner was issued pattadar passbook and title deeds in respect of land to an extent of Ac.02-20 guntas in Sy.No.1040, but as far as other survey numbers are concerned, he is not in possession of the land and the names of father and brother of the petitioner were reflected in other survey numbers. The sum and substance of counter is that there are disputes between the petitioner and his brother in respect of lands in other survey numbers.

Learned counsel for the petitioner submits that since the petitioner purchased the schedule property by virtue of registered sale deed, the respondents are bound to consider the application of the petitioner for mutation of his name in the revenue records. It is submitted that even the brother of petitioner made representation dated 17-02-2011, which is annexed to the counter stating that the land has been divided and mentioned the particulars of lands fell to the share of petitioner.

Learned Government Pleader for Revenue says that because of property disputes between the petitioner and his brothers, pattadar passbooks were not issued.

The petitioner made representation dated 15-05-2012 for seeking entry of his name in revenue records stating that he purchased land to an extent of Ac.05-90 cents in Sy.Nos.1040, 930/1, 1272/2, 1150/1, 1150/2, 1150/4 and 1128/1 of Nossam Village, Sanjamala Mandal, Kurnool District by virtue of registered sale

deed in document No.836/2012, dated 21-04-2012 and his vendor name reflects in the revenue records.

The respondents have to consider the representation in terms of registered sale deed and also as per revenue records and pass orders as per law. If the petitioner feels aggrieved by the said orders, he can challenge the same.

Having regard to the above, the 2nd respondent is directed to consider the application of the petitioner, dated 15-05-2012 for grant of pattadar passbooks, in accordance with law within a period of two months from the date of receipt of copy of the order.

Accordingly, the 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

18-02-2016
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HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITON No.17618 of 2014

Date: 02.07.2014

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