

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WRIT PETITION No.2675 OF 2016

ORDER:

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

The petitioner claims that her husband was granted ryothwari patta under R.Dis.No.8714/80, dated 31.12.1980. When the respondents refused to issue pattadar passbook and title deeds in her favour, earlier she approached this Court and as per the directions of this Court, she submitted an application before the Inam Deputy Tahsildar, Chittoor, the 5th respondent herein. While so, when similarly situated persons, as that of the petitioner, approached the Revenue Divisional Officer, Tirupathi, he dismissed their applications. Aggrieved thereby, they filed appeals before the Chief Commissioner of Land Administration (CCLA), Andhra Pradesh, Hyderabad, who through common proceedings No.V2/55/2010 and batch, dated 29.07.2013, remanded the matter to the primary authority holding that it has to enquire into the genuineness of the documents filed by them.

Stating that the case of the petitioner also falls on the same footing, she once again filed an application before the 5th respondent, under Ex.P1, requiring him to cause an enquiry with regard to the genuineness of her patta in Patta No.649/80 dated 07.12.1980, as per the orders passed by the CCLA. The petitioner also seeks issuance of pattadar passbooks. Alleging inaction on the part of the 5th respondent, the present writ petition has been filed.

From a perusal of the record, it is evident that the petitioner is not a party to the CCLA proceedings, referred to above. Hence, she cannot seek implementation of the CCLA proceedings. There is also nothing to show that the ryothwari patta of the petitioner is doubted by any authority. Hence, the submission of application by the petitioner

before the 5th respondent once again under Ex.P1 and seeking a direction in this Writ Petition for consideration of the same, appear to be clearly misconceived. So far as the petitioner's prayer for issuance of pattadar passbook and title deeds is concerned, she has to make appropriate application before the competent authority as per the provisions of the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971, which she has not yet made.

Hence, the Writ Petition is disposed of giving liberty to the petitioner to make appropriate application before the competent authority for grant of pattadar passbook and title deeds. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

VILAS V.AFZULPURKAR, J

29.01.2016

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