

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.20389 OF 2016

ORDER:

This writ petition is filed challenging the endorsement dated 31.03.2016 issued by the 3rd respondent vide RC.No.54/2016/C.

The case of the petitioner is that he filed an appeal against the grant of pattadar pass books and title deeds in favour of his father and the said appeal was allowed by order dated 16.11.2009 vide proceedings in D.Dis.No.1951/07/B directing the Tahsildar, Gudibanda to enquire in detail and confirm the title over the schedule properties. Meanwhile, the petitioner's father died on 01.01.2014 and petitioner made an application for issuance of pattadar pass books and title deeds in his favour. Since no action has been initiated by the respondents, the petitioner filed W.P.No.12560 of 2016. Pending the said writ petition, the 3rd respondent issued the present impugned endorsement dated 31.03.2016 stating that he has received objections from the 2nd wife of the petitioner's father.

Learned counsel for the petitioner submits that the Tahsildar without passing any orders in pursuance to the remand order dated 16.11.2009 passed by the 3rd respondent in the appeal, issued the impugned endorsement dated 31.03.2016 which does not indicate that any notice was issued to the petitioner.

Even the written instructions produced by the learned Assistant Government Pleader for Revenue also does not indicate that any notice was issued to the petitioner before passing the impugned endorsement.

In view of the above facts and circumstances, the impugned endorsement dated 31.03.2016 is set aside and the Tahsildar is directed to conduct enquiry in terms of the order dated 16.11.2009 in D.Dis.No.1951/07/B within a period of eight (08) weeks from the date of receipt of copy of this order and thereafter take necessary action in accordance with law, after issuing notice to the affected parties, if any.

With the above direction, the writ petition is disposed of. No costs. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

05-07-2016
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