

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.24307 OF 2016

O R D E R :

The case of the petitioner is that she purchased the land to an extent of Ac.3.10 guntas & 4.09 guntas in Survey Nos.364 & 365 respectively, situated at Tekulapally Village of Mominepeta Mandal, Ranga Reddy District through registered sale deed bearing Document No.3099/11, dated 20.07.2011. Thereafter she made an online application dated 31.10.2011 for mutation of her name in the revenue records and for grant of Pattadar Pass Books and Title Deeds. As no orders are passed on the said application, present writ petition is filed.

Learned Government Pleader for Revenue produced endorsement dated 03.08.2016 wherein it is stated that the application of the petitioner cannot be considered and the applicant is directed to approach the Joint Collector, R.R.District for updation of revenue record as per proceedings issued by the then MRO, Mominpeet village in file No.B/330/2002, dated 12.09.2002.

Learned counsel for the petitioner states that the aforesaid endorsement dated 03.08.2016 was passed without issuing any notice to the petitioner which is in violation of proviso to Sub-section (1) of Section 5 of the A.P.Rights in Land and Pattadar Pass Books Act, 1971.

A reading of the endorsement dated 03.08.2016 shows that it was passed without issuing any notice to the petitioner which is in violation of proviso to Sub-section (1) of Section 5 of the A.P.Rights in Land and Pattadar Pass Books Act, 1971. In view of the same, without going into the merits of the case, only on the ground of violation of principles of natural justice i.e., non issuance of notice to the petitioners as per proviso to sub-section 1 of Section 5 of the Act, the endorsement dated 03.08.2016 produced by the learned Government Pleader is set aside and the 4th respondent is directed to reconsider the application of the petitioner dated 31.10.2011 and pass orders, in accordance with law, after issuing notice to the petitioner, within a period of two months from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

27.08.2016
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A.RAJASHEKER REDDY, J