

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.23008 OF 2016

ORDER:

The case of the petitioner is that the petitioner's father was the owner and possessor of land admeasuring Ac.2.04 cents in Sy.No.133-4 situated at Venkatapuram Village, Kalidindi Mandal, Krishna District and he expired in the year 1985 leaving behind his wife and the petitioner. After the death of petitioner's parents, petitioner used to cultivate the subject land and his name was reflected in the revenue records from 1983 to till 2015. Even in the certified copies issued by the 2nd respondent petitioner's name was reflected as pattadar in respect of subject land till 2015. While so, when petitioner's son made an application dated 04.08.2015 for issuance of certified copy of Adangal and 1 B register in respect of the subject property, a copy of Adangal for the year 2015 was issued to the petitioner wherein it was noticed that the 2nd respondent inserted the name of the 3rd respondent in place of the petitioner's name without giving any notice to the petitioner as per the provisions laid under Andhra Pradesh Rights in Land and Pattadar Pass Book Act, 1971 (for short 'the Act'). Aggrieved by the same, the present writ petition is filed.

Heard the learned counsel for the petitioner.

Learned Assistant Government Pleader for Revenue produced written instructions wherein it is stated that basing on the partition deed, the name of the 3rd respondent was entered in the Adangal and he also sold the said property to one Dubbula Sambasiva Rao and two others by virtue of sale deed No.977/2016 dated 25.04.2016.

Since the petitioner's name was reflected in the Adangal till 2015, he is entitled for notice under Section 5(3) of the Act. But the written instructions produced by the learned Assistant Government Pleader for

Revenue does not indicate whether the petitioner was issued notice or not before inserting the name of the 3rd respondent in place of his name.

In view of the above facts and circumstances, it is open for the petitioner to make an application to the 2nd respondent stating the above facts within a period of six (06) weeks from today and on such application being made, the 2nd respondent is directed to consider the same and take necessary action within a period of one (1) week, after issuing notice to the affected parties.

With the above direction, this 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

03-08-2016
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