

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.43708 OF 2016

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for the respondents. With their consent, the present writ petition is disposed of at the admission stage.

2. The present writ petition came to be filed with the following prayer:

“...to issue an appropriate writ or Order or direction more particularly one in the nature of Mandamus declaring the action of the respondents in not issuing Pattadar pass books in respect of the land to an extent in Survey No.37/3 -Ac.22 1/2, Sy.No.73/2 -Ac.0.05 1/2 cents, Sy.No.73/3 - Ac.0.04 cents, Sy.No.73/4- Ac.0-13 cents, Sy.No.73/6 -Ac.0-07 3/4 cents, Sy.No.77 -Ac.0-22 cents, Survey No.81/1-Ac.0-12 cents, 81/6 - Ac.0-3 3/4 cents, Sy.No.88/1 -Ac.0- 3 1/2 cents, Sy.No.88/8 - Ac.0-09 cents, Sy.No.88/9 - Ac.0-06 1/2 cents, 88/12 -Ac.0-15 1/2 cents, 89/1- Ac.0-14 cents, Sy.No.89/2-0-07 cents, 89/6-0-07 1/2 cents, 96/2-Ac.0-37 1/2, Sy.No.99/4 - Ac.0-8 3/4th Sy.No.99/9 - Ac.0-046 cents, Sy.No. 109/3 - Ac.0-66 3/4th and Sy.No.110/5 - Ac.0-94 cents of Marrimakulapalle Village, Gurramkonda Mandal, Chittoor District, Andhra Pradesh, as arbitrary, illegal and colourable exercise of mis-use of powers vested with them and also violation of Article 300-A of Constitution of India apart from violation of Principles of Natural Justice and consequently direct the respondents to issue Pattadar pass book and Title Deed forthwith.”

3. At the time when the matter is taken up for hearing, learned Government Pleader brought to the notice of this Court that

pattadar pass books were already issued in favour of third parties and that the petitioner has also preferred an appeal before the Revenue Divisional Officer questioning the very issuance of the pattadar pass books.

4. Since the appeal filed by the petitioner is still pending consideration, the question of considering the request of the petitioner for grant of pattadar pass books in his favour in respect of the land referred to above would not arise at this stage.

5. Having regard to the above, the Writ Petition is disposed of directing the 3rd respondent – Sub-Collector, Madanapalle, to dispose of the appeal filed by the petitioner against the issuance of pattadar pass books in respect of the lands to an extent in Survey No.37/3 -Ac.22 1/2, Sy.No.73/2 -Ac.0.05 1/2 cents, Sy.No.73/3 - Ac.0.04 cents, Sy.No.73/4- Ac.0-13 cents, Sy.No.73/6 -Ac.0-07 3/4 cents, Sy.No.77 -Ac.0-22 cents, Survey No.81/1-Ac.0-12 cents, 81/6 -Ac.0-3 3/4 cents, Sy.No.88/1 -Ac.0- 3 1/2 cents, Sy.No.88/8 - Ac.0-09 cents, Sy.No.88/9 - Ac.0-06 1/2 cents, 88/12 -Ac.0-15 1/2 cents, 89/1- Ac.0-14 cents, Sy.No.89/2-0-07 cents, 89/6- 0-07 1/2 cents, 96/2-Ac.0-37 1/2, Sy.No.99/4 - Ac.0-8 3/4th Sy.No.99/9 - Ac.0-046 cents, Sy.No. 109/3 - Ac.0-66 3/4th and Sy.No.110/5 - Ac.0-94 cents of Marrimakulapalle Village, Gurramkonda Mandal, Chittoor District, in favour of third parties, in accordance with law, as early as possible, preferably within a period of three (03) months from the date of receipt of a copy of this order.

Consequently, Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

JUSTICE C. PRAVEEN KUMAR

Date:16.12.2016
INL

