

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.12521 OF 2016

ORDER:

This petition is filed for a writ of *Mandamus* declaring the action of the 4th respondent in entertaining the petition filed by the 5th respondent dated 06.01.2016 under Section 4(1) of the A.P.Rights in Land and Pattadar Pass Books Act, 1971 and Rule 18 of the Rules there under and the notice issued by the 4th respondent dated 10.02.2016 in form No.8, Rule 19(1) of Pattadar Pass Book Rules 1989 as illegal and arbitrary.

Learned counsel for the petitioner submits the 5th respondent has to file appeal under Section 5 B of the Act before the appellate authority instead of filing application under Section 4(1) of the Act. Learned counsel for the petitioner also states that the 5th respondent filed suit for declaration of title.

Learned counsel for the 5th respondent states that in view of the Judgment of this Court which are made basis for filing the application have to be considered.

Learned counsel for the petitioner states that he is not a party to the said proceedings.

In view of the above, without expressing any opinion on merits, it is for the petitioner to raise all the objections which

are raised in the present writ petition before the 4th respondent and the 4th respondent may consider the same after issuing notice to the 5th respondent and dispose of the application of the 5th respondent, in accordance with law, within a period of six weeks 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 in the writ petition, shall stand closed.

31.08.2016
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A.RAJASHEKER REDDY, J

