HON'BLE SRI JUSTICE S.V. BHATT

W.P. No.23271 OF 2017

ORDER:

Heard Mr.K.Ravinder Reddy for petitioners and the learned Government Pleader (Revenue) for respondents 1 to 5.

The petitioners pray for the following relief:

> "…writ of Mandamus declaring the action of the respondents 2 to 5 in not issuing Pattadar Pass Books and title deeds in respect of agricultural land in Sy. No. 34 /1 extent of Ac 50-00 gts situated at Gudla Buri Shivaru, Gudla Burl village, Kautala Mandal, Adilabad District, as is illegal, arbitrary, in violation of principles of natural justice, in violation of ROR Act, and in violation of Articles 14, 21 and 300-A of the Constitution of India, consequently direct the respondents 2 to 5 to issue Pattadar Pass Books and title deeds in 'respect of agricultural land in Sy. No. 34 / 1 extent of Ac 8.33 gts out of Ac 50-00 gts situated at Gudla. Buri Shivaru, Gudla Buri village, Kautala Mandal, Adilabad District in favour of the petitioner by way of considering the complaint No. 1991, dated 02-02-2015…"

The petitioners, to impress upon the Court on the procedure followed by respondents 4 and 5 in considering the request of applicants for issuing pattadar pass books/title deeds, have filed xerox copies of pattadar pass books said to have been prepared in the names of petitioners 1 to 3, however, for reasons best known to respondents, pattadar pass books/title deeds are not issued to the petitioners.

After hearing the learned counsel appearing for the parties, this Court *prima facie* forming the opinion that the Revenue

Divisional Officer and the Tahsildar now holding the office are responsible for illegality or impropriety in the matter of issuing pattadar pass books/title deeds passed the following order:

> "The Revenue Divisional Officer, Adilabad District, in terms of the order dated 14.07.2017, has placed 1B Register and Register maintained in Form No.7 of Gudla Buri Village, Kautala Mandal. After spending substantial time and making enquiry into each one of the aspects in the matter of issuing pattadar pass books and title deeds, it appears the procedure followed by the then Tahsildar, Kautala Mandal, Adilabad District, does not conform to the requirements of the A.P. Rights in Land and Pattadar Pass Books Act, 1971 and in spite of serious efforts, the Revenue Divisional Officer, Adilabad District and the Tahsildar, Kautala Mandal, who are holding the office on orders of transfer, are unable to explain the legalities perpetrated by the Tashildar, who is stated to be under order of suspension in view of ACB case. As the applications of petitioners are entertained, the Officers request time till 21.07.2017 to produce the pattadar passbooks of petitioners in the court.
>
> Post on 21.07.2017 in Motion List under the caption 'for production of record'.
>
> The presence of the Revenue Divisional Officer, Adilabad, if further required will be called upon and for the present, dispensed with."

Respondents 3 and 4 appeared on 18.07.2017 and through the Government Pleader for Revenue have brought to the notice of the Court that the Revenue Divisional Officer, Adilabad District and the Tahsildar, Kautala Mandal are not the officers discharging the duty under the A.P. Rights in Land and Pattadar Pass Books Act, 1971 while pattadar pass books now relied upon by the petitioners, were issued. It is a matter of record that the 3rd and the 4th respondents after noticing illegality pointed out by petitioners have substantially looked into the grievances of petitioners 1 to 3 and have today handed over pattadar pass books with the following Nos. 723578 (old No.696369, 723579 (old No.696391) and 723576 (old No.696392).

As regards petitioners 4 and 5 are concerned, it is stated that the petitioners if produce xerox copies of applications said to have been filed in this behalf, their request for grant of pattadar pass books will be considered and examined in the same way as has been considered and issued in the case of petitioners 1 to 3, and necessary orders would be passed.

The statement of 4th respondent is placed on record.

In view of the above, this Court is of the view that the prayer is substantially worked out for the present and the writ petition has to be disposed of accordingly. The Court places on record the effort shown by 3rd and 4th respondents, as appreciating, in understanding the fraud and mischief played by the then officer.

With the above observation, the writ petition is disposed of. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

____
S.V.BHATT, J

Date:21.07.2017
Stp