

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION Nos 9334 And 9336 OF 2017

COMMON ORDER:

These writ petitions are filed challenging the order dated 04-03-2017 issued by the respondent No.4, wherein the applications filed by the petitioners in Form VI-A under Section 5(1) of A.P. Rights in Land and Pattadar Pass Books Act, 1971(for short "the Act") for mutation in respect of subject land has been rejected.

Learned counsel for the petitioners says that the petitioners purchased the subject land through registered sale deeds and their predecessors-in-title were granted pattadar passbooks and title deeds and their names were entered in revenue records and without issuing notice to the petitioners, the impugned order is passed rejecting their applications. There is no such condition of non-alienability in the patta granted to the original assignee Chiluka Ramaiah under Hyderabad Land Revenue Special Rules, 1951.

Heard learned Assistant Government Pleader for Revenue.

Now it is to be seen that before refusing any application for mutation, the 4th respondent is obligated to issue notice under Section 5(3) of the Act. A reading of the impugned order goes to show that no notice is issued to the petitioners before passing the same.

In view of the same, the impugned order is set aside. The 4th respondent is directed to issue notice to the petitioners and interested persons if any. It is open for the petitioners to bring above facts to the notice of the 4th respondent and the 4th respondent is obligated to consider the same and dispose of their applications in accordance with law.

With the above direction, the writ petitions are disposed of. As a sequel to the disposal of these petitions, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

16-03-2017

Note:

Issue CC in one week.

B/o.

Nvl



