

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.29575 OF 2017

Dated:01.09.2017

Between:

K.R. Ramamohan Reddy,
S/o. Late K.R. Chenna Reddy,
Hindu, aged about 44 years, Advocate,
R/o.D.No.2-494, Syndicate Nagar,
Anantapuram Rural Mandal and District .. Petitioner

And

The State of Andhra Pradesh, rep., by its
Principal Secretary, Revenue
Department, A.P. Secretariat,
Velagapudi, Amaravati, Guntur and others .. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.29575 OF 2017****ORDER:**

Petitioner claims that his father was the absolute owner and possessor of land to an extent of Acs.4.07 cents in Survey No.155-5A of Rachanapally Village, Anantapur Mandal and District. Earlier, the 4th respondent deleted the name of the father of the petitioner in the revenue records and issued pattadar passbook in favour of one P.G. Narayana Reddy. Aggrieved thereby, father of the petitioner preferred appeal before the 3rd respondent. On detailed enquiry, the 3rd respondent passed orders on 21.04.2007 cancelling the pattadar passbook issued by the 4th respondent in the name of P.G. Narayana Reddy. This decision of the 3rd respondent became final, as no further appeal was preferred. Subsequently, P.G. Narayana Reddy and others filed partition suit in O.S.No.392 of 2008 on the file of Additional Senior Civil Judge, Anantapur, against father of the petitioner, but the same was dismissed in the year 2011. However, the name of the petitioner's father is not reflected in the revenue records. Earlier, father of the petitioner filed W.P.No.35418 of 2012 against respondents 3, 4 and Joint Collector and in the said Writ Petition, this Court passed orders in favour of the father of the petitioner and basing on the said order, the 4th respondent entered the name of the petitioner's father in the revenue records i.e., 1B Adangal, but so far pattadar passbook is not issued. In the year 2015, father of the petitioner died. After death of his father, the petitioner submitted application in Form VI- A to grant pattadar passbook, but the same is not acted upon. While so, basing on the

application made by P.G. Narayana Reddy and others, the 3rd respondent initiated proceeding to conduct enquiry and issued notice dated 24.12.2016 to the petitioner and others. In this Writ Petition, petitioner challenges the said notice.

2. In the facts as noted above, learned counsel for the petitioner contends that this entire exercise is not valid. He further submits that detailed objections are filed before the 3rd respondent bringing to his notice the earlier history, but so far no orders are passed and no pattadar passbook is issued to the petitioner.

3. Since a notice was issued and petitioner has already filed objections, this Court is not inclined to entertain the Writ Petition, at this stage. Petitioner may have a grievance, if only an adverse decision is taken by the 3rd respondent.

4. The Writ Petition is accordingly dismissed leaving it open to the petitioner to work out his remedies as available in law, if adverse decision is taken by the 3rd respondent pursuant to the impugned notice. It is suffice to note that since objections are already filed, the 3rd respondent shall duly consider the said objections and take appropriate decision as warranted by law. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in the Writ Petition shall stand closed.

P. NAVEEN RAO, J

Date:01.09.2017

KH