

THE HON'BLE SRI JUSTICE M. GANGA RAO

WRIT PETITION NO.18247 of 2005

ORDER:

This Writ Petition is filed seeking to issue Writ of Mandamus directing the respondents to issue Pattedar Pass Books, Title Deeds to the property bearing R.S.Nos.33/2 and 34/2 of Rajarajeswaripet, Vijayawada village portion.

The case of the petitioners is that they are the absolute owners and possessors of an Agricultural land to an extent of Ac.9.70 cents situated in R.S.Nos.33/4 and 34/2 of Rajarajeswaripet, Vijayawada village portion. During 1988 riots on the death of a local MLA, their building was burnt by the miscreants. The entire documents including title deeds relating to the property in question were burnt. In the same incident, the office of the 3rd respondent was also burnt. As a result, the entire documents and the official records were burnt. Under those circumstances, the petitioners submitted an application to the 1st respondent seeking to direct the 3rd respondent to issue authenticated copy of the title deeds of the property in question after conducting due enquiry. The 1st respondent directed the 2nd respondent to conduct a detailed enquiry and submit a report. The 2nd respondent, after conducting enquiry, having satisfied that the title deeds relating

to the property in question were burnt, addressed a letter through his proceedings bearing Rc.No.1051/39 dated 15.4.1992 directing the petitioners to pay a sum of Rs.30,083/- towards Stamp Duty and a sum of Rs.1,602.50 ps towards registration fee. Accordingly, the petitioners deposited the said amount of Rs.30,085/- under Challan No.4462 and Rs.1,603/- through Challan No.4463 dated 14.8.1992. The petitioners submitted the original challans to the 2nd respondent along with covering letter on 19.8.1992 requesting to issue appropriate proceedings for grant of pattedar pass book and title deeds. In the 2nd week of March, 2005, the petitioners were asked to submit copies of the documents as their office record was misplaced. The petitioners submitted all the documents along with a representation in the first week of April, 2005. Thereafter, they made several representations, but the respondents have not taken any action on their representations.

I have perused the records. In the absence of any counter affidavit filed by the respondents though the matter is listed for hearing after granting several adjournments i.e., on 20.11.2017, 30.11.2017, 8.12.2017 and 15.12.2017, the contents of the affidavit have to be accepted as true and correct.

Hence, the respondents are directed to consider the representations of the petitioners for issuance of pattedar pass books and title deeds as requested by the petitioners in respect of their Agricultural land admeasuring Ac.9.70 cents situated in Sy.No.R.S.33/4 and 34/2 at Rajarajeswaripet, Vijayawada village portion, within two months from the date of receipt of a copy of this order.

Writ Petition is disposed of, accordingly.

Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

M. GANGA RAO,J

Date:27.12.2017

KPM

