

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.30106 OF 2017

DATED : 08.09.2017

Between :

M/s. The Salesian / Andhra Society,
Rep., by its Authorised Agent-Chitti Sanyasi Demudu,
S/o.lt.Demudu, Aged : 62 yrs,
D.No.31-25-56, Kurmanpalem,
Srikrishna Nagar, Road No.2,
Visakhapatnam

..

Petitioner

And

State of Andhra Pradesh,
Rep., by its Principal Secretary,
(Revenue) Government of A.P.,
Hyderabad & Others.

..

Respondents



This court made the following :

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ORDER :

Heard.

2. Petitioner claims that land admeasuring Ac.5-00 in Patta No.152 in Sy.No.1/4 of Rishikonda Village, Yandada Gram Panchayat is the Zeroyathi patta land of B.Venkataswamy. After his death, his wife and children sold the same in favour of Ganta Satyavathi under a registered sale deed dated 23.02.1970. Out of Ac.5-00 of land, the petitioner-Society claimed to have purchased Ac.3.38 cents. After the said purchase, petitioner-Society submitted a representation to the Mandal Revenue Officer, Chinnagadhila Mandalam, Visakhapatnam District, requesting to issue pattedar pass book and title deeds in its favour. Alleging inaction on the said representation made, this writ petition is filed.

3. The Government is processing the claims under the A.P. Rights in Land and Pattedar Pass Books Act 1971 (for short 'the Act, 1971'), when applications are made in prescribed form through online web portal of the State. It is not denied by the learned counsel for the petitioner that such application is not made so far. Unless such application is made the claim will not be processed, and it cannot be said that the action of the authorities in not acting upon the request made by the petitioner-Society, as amounting to arbitrary exercise of power or inaction is illegal. Therefore, the relief sought for by the petitioner cannot be granted.

4. Thus, leaving it open to the petitioner to apply for grant of pattedar pass books and title deeds in accordance with the procedure prescribed, the Writ Petition is disposed of. It is needless to observe that as and when such application is made, the same shall be considered as expeditiously as possible, preferably within a period of three (3) months from the date of receipt of such application. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

08th September 2017
Rds

P.NAVEEN RAO,J

