

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 22733 of 2017

Order:

It is the case of the petitioner that his father executed a registered Will Deed on 19.03.2007 bequeathing the property of an extent of Ac.1.23 $\frac{3}{4}$ cents in Survey Nos.97/2A and 98/1A situated at Peddapudi village, Amarthaluru Mandal, Guntur district in his favour. The father of the petitioner expired on 20.08.2012. When a notice was issued by the third respondent stating that the respondents 4 and 5 submitted an application seeking cancellation of the pattadar passbooks and title deeds issued in favour of the petitioner and asking the petitioner to attend before him on 20.06.2017 in connection therewith, the present Writ Petition is filed.

Learned counsel for the petitioner submits that in view of the decision of this Court in W.P. No.21689 of 1999 dated 24.07.2015, the third respondent has no jurisdiction to examine the application alleged to have been filed by the respondents 4 and 5.

However, this Court is not inclined to give a finding based on the said submission, in view of the pendency of the matter before the third respondent.

In the circumstances, this Writ Petition is disposed of giving liberty to the petitioner to submit a written objection by citing the said decision and raising all his objections with regard to jurisdiction of the third respondent on the application alleged to have been filed by the respondents 4 and 5 and the third respondent shall pass appropriate orders in accordance with law after hearing the petitioner and the respondents 4 and 5 within a period of three (3) months from the date of receipt of a copy of this order. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions pending in this
Writ Petition, if any, shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 11.07.2017
Nsr

