

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.12540 OF 2010

ORDER:

This writ petition is filed against the proceedings in Rc.No.2067/2009/B, dated 30.01.2010, whereby petitioner's vendor's pattadar pass books and title deeds were cancelled.

Learned counsel for the petitioner submits that the impugned order is without notice to the petitioner or his vendor and the same is in violation of principles of natural justice. He also submits that only at the instance of Mandal Legal Services Committee, the impugned order is passed and the same is without jurisdiction.

Heard learned Assistant Government Pleader for Revenue.

A perusal of the impugned order goes to show that the same is passed without issuing any notice. It is also goes to show that it is only passed on the directions of the Chairman, Mandal Legal Services Committee. It is not known under which provision the Mandal Legal Services Committee issued such direction. Even as per the Judgment in ***Ratnamma v. Revenue Divisional Officer, Dharmavaram, Anantapur District and others***¹ the Revenue Divisional Officer has no power to initiate proceedings for cancellation of Pattadar Pass Books and Title deeds. Though vacate petition is

¹ 2015 (6) ALD 609 (DB)

filed, in view of the fact that the impugned order is passed at the instance of Mandal Legal Services Committee, without issuing any notice, this Court is not going into the factual aspects raised in the counter affidavit. Since it is stated that the petitioner has submitted representation to the 3rd respondent claiming pattadar pass books and title deeds in his name, the writ petition is allowed and the 3rd respondent is directed to dispose of the representation of the petitioner for grant of pattadar pass books and title deeds, in accordance with law. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

02.01.2017
t k.

A.RAJASHEKER REDDY, J

