

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.18665 of 2013

ORDER:

Heard Ms.B.Padmaja for petitioner, learned Assistant Government Pleader (Revenue) for respondents 1 to 3 and Sri Satyam Reddy for the 4th respondent.

The petitioner prays for the following relief :-

“to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus: i) to declare the inaction of the first respondent in not issuing pattedar passbook to the petitioner under the Andhra Pradesh Rights in Land and Pattedar Pass Books Act, 1971 and the Rules framed thereunder, pursuant to his application in relation to his land in Gut Survey No.61, in Sy.No.354/ 1, of Mallampally village, Mulug Mandal, Warangal District, purchased by the father of the petitioner late Kattaiah from its original pattedar Mr. Omer Khan and as has been confirmed by the Land Reforms Tribunal, Warangal in CC No.2708 of 1975 and Batch dated 12.7.1990 declaring his father as the owner and possessor of the land to an extent of Ac.44.00 in Sy.No. Gut Survey No.61 in Sy.No.354/ 1, of Mallampally village, Mulug Mandal, Warangal District as illegal arbitrary, unjust and violative of principles of natural justice; and ii) consequently direct the respondents to issue pattedar passbook in favour of the petitioner in relation to the land in Sy.No.61 in Sy.No.354/ 1, of Mallampally village, Mulug Mandal, Warangal District, over which his father is in possession and enjoyment by virtue of his purchasing the land from its original pattedar and the declaration of the Land Reforms Tribunal Warangal...”

The issue arises under the A.P.Rights in Land and Pattedar Passbooks Act, 1971 (for short ‘the Act’). The petitioner

aggrieved by the order of the Revenue Divisional Officer, Mulug, filed revision petition under Section 9 of the Act and the same is taken on file in Rc.No.E5/5146/2011. The very issue of pattadar passbook and / or entitlement under the Act is an issue substantially before the Joint Collector, Warangal, presently coming under the administrative jurisdiction of the Joint Collector, Dr.Jaishanker, Bhupalpally District.

This Court is of the view that the Joint Collector, Dr.Jaishanker, Bhupalpally District, be directed to hear revision, if not already heard and disposed of, and pass orders in accordance with law.

Hence, the petitioner is given liberty to file a copy of this order along with a Memo and seek a date for hearing in the revision. On such filing, the Joint Collector, Dr.Jaishanker, Bhupalpally District, is directed to hear revision, if not already heard and disposed of, and pass orders within two months thereafter.

The writ petition is disposed of accordingly. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

S. V. BHATT, J

Dt: 23-06-2017
Pv

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Prv

