

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.16988 of 2017

ORDER:

Heard Sri Sharat Kumar for petitioner and the Assistant Government Pleader (Revenue) for respondents 1 to 4.

The petitioner prays for the following relief :-

“.....to issue a writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the proceedings in R.C.B/ 29/ 2017 initiated on the file of 4th respondent, at the instance of 5th respondent and consequential action of the 4th respondent in insisting the petitioner to surrender his original pattadar passbook and title deed bearing Patta No.1720 (94755) granted for an extent of Ac.4.05 cents in Survey No.434/ 2, Ac.1.15 cents in Survey No.409/ 1 and Ac.0.19 cents in Survey No.467/ 1 situated in Punuru Village of Yaddanapudi Mandal, Prakasam District, as illegal, irregular, irrational, without any authority of law and violative of provisions of Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971 and rules framed thereunder and offends Article 14 of Constitution of India and consequently direct the 4th respondent not to cancel the petitioner's said Pattadar Passbook and Title Deed nor delete the petitioner's name from manual and web land Revenue records for the said lands.....”

A bare look at the prayer would disclose that the petitioner is invoking the jurisdiction of this Court under Article 226 of Constitution of India challenging the notice, dated 29-03-2017. The undisclosed or underlying idea in filing the writ petition, it appears is against oral demand of surrender of pattadar passbook/title deed by the petitioner.

This Court cannot take note of oral demand or assertions and issue notice to respondents.

Be that as it may, learned counsel for petitioner having regard to the fact that a notice is issued on 29-03-2017 and that the petitioner has sufficient objections in fact and likes to file a reply against the said notice, requests the Court to grant two weeks time to petitioner for filing reply.

The request is accepted and the writ petition is disposed of by this order.

The petitioner is given two weeks time from today to file reply to the notice dated 29-03-2017 by enclosing a copy of this order before 4th respondent and the 4th respondent is under obligation to examine the reply and shall act strictly in accordance with law.

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

No order as to costs.

S. V. BHATT, J

Dt: 02-06-2017

Note:

Issue C.C. in two days

(B/o)

Prv

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