

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.30486 of 2016

ORDER:

This Writ Petition is filed by the petitioners under Article 226 of the Constitution of India seeking to declare the action of the 2nd respondent in not incorporating the 2nd petitioner's name in the assessment records as owner of the house bearing No.4-2-298, Gaju Street, Tirupati, Chittoor District, and incorporating the name of the 4th respondent in the Assessment Book without issuing notice to the petitioners and without valid reasons as illegal, arbitrary, in violation of principles of natural justice and in violation of Article 14 of the Constitution of India and consequently direct the respondents to incorporate the 2nd petitioner's name in the Assessment Book in respect of the house bearing D.No.4-2-298, Gaju Street, Tirupati, Chittoor District.

2. Heard learned counsel for both the parties and perused the material available on record. With the consent of the learned counsel for both the parties, the writ petition is taken up for disposal at the stage of admission.

3. The case of the petitioners is that the 1st petitioner's father purchased house property bearing H.No.4-2-298, Gaju Street, Tirupati, Chittoor District, in public auction conducted on 28.01.1963 in the execution of a decree in Small Cause Suit No.482/58, on the file of the Court of the District Munsiff at Tirupati. In the year 1975, the 1st petitioner's father made an application requesting the 2nd respondent to mutate his name by replacing his name as owner of the above said property and

accordingly, the 1st petitioner's name was entered. It is further case of the petitioners that on 04.10.2010, the 1st petitioner executed a gift deed transferring the above said property to his son, i.e., the 2nd petitioner.

4. The main grievance of the petitioners is that the petitioners made a representation on 04.01.2016 along with all the connected records to incorporate the 2nd petitioner's name in the records of the 2nd respondent as owner of the above said property, but so far, the 2nd respondent has not passed any order on the said representation and the same is pending.

5. When the matter is taken up for hearing, both the learned counsel agreed for disposal of the writ petition with a direction to the 2nd respondent to expeditiously dispose of the representation of the petitioners.

6. Having regard to the same, without expressing any opinion on the merits of the matter, the Writ Petition is disposed of directing the 2nd respondent to consider the representation of the petitioners, dated 04.01.2016, pass appropriate orders, as warranted by law, as expeditiously as possible, and communicate the decision to the petitioners. There shall be no order as to costs.

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

RAJA ELANGO,J

Date: 20th July, 2017

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