

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.44012 OF 2016

ORDER :

This writ petition is filed seeking writ of mandamus declaring the action of the respondents in not mutating the name of the petitioner in online records and issue e-passbook as per documents produced by him in respect of land in Sy.No.799 to an extent of Acs.3.52 cents of Maddireddipalli village fields, B.Kodur Mandal, Y.S.R Kadapa District as illegal and arbitrary.

It is the case of the petitioner that his aunt by name Venkatamma relinquished her right through gift deed in his favour vide registered document No.821/1997 dated 13.03.1997 in respect of land to an extent of Acs.3.52 cents Maddireddipalli village fields, B.Kodur Mandal, Y.S.R Kadapa District and thereafter petitioner is in possession and enjoyment of the same and obtained pattadar pass books in his name. That when third parties tried to interfere with his possession, the petitioner filed suit O.S.No.145 of 2012 before the Junior Civil Judge at Badvel and also obtained injunction against third parties in I.A.No.644 of 2012 and consequently the said suit was decreed on 18.07.2012. Thereafter, though the petitioner made application dated 15.11.2016 to the respondents 2 to 4 to enter his name on online by producing all relevant documents, no action is taken. Aggrieved by the same, present writ petition is filed.

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Revenue.

Learned Assistant Government Pleader for Revenue produced written instructions of the Tahsildar, B.Kodur, the 4th respondent, dated 20.12.2016 stating that the petitioner is in possession of Acs.3.52 cents in Sy.No.799 of Kodur Village, B.Kodur Mandal basing on the registered document No.821/1997 dated 13.03.1997.

In the first para of the written instructions dated 20.12.2016, it is clearly stated that the petitioner is in possession and enjoyment of the subject land i.e., Acs.3.52 cents in Sy.No.799 of Kodur village of B.Kodur Mandal. But it is not known as to why it is stated in the 4th para of the written instructions that the petitioner is not in possession of the subject land, though he possessed registered document No.821/1997, dated 13.03.1997.

In view of the same, the 4th respondent is directed to dispose of the representation of the petitioner dated 15.11.2016, basing on the documents produced by him, within a period of four (4) weeks from the date of receipt of a copy of this order and take action accordingly.

With the above direction, this writ petition is disposed of. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, shall stand closed.

A.RAJASHEKER REDDY, J

18.01.2017
kvs

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Date: 18.01.2017

kvs

