

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.46612 of 2016

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking to declare the action of the 3rd respondent in proposing to issue pattadar pass book and title deed to respondent No.4 in respect of lands in survey No.92 admeasuring Acs.22-08 cents above Acs.12.50 cents situated at Chiyeedu Village, Anantapur Rural Mandal, Anantapuramu District, as illegal and arbitrary.

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Revenue. With their consent, the Writ Petition is disposed of at the admission stage itself. There is no necessity to put respondent No.4 on notice since this Court is not venturing to adjudicate the case on merits.

The limited grievance of the petitioner in this writ petition is that inspite of petitioner issuing a legal notice dated 26.12.2016 to the 3rd respondent raising objection for issuance of pattadar pass book and title deed in favour of R-4 in view of pendency of O.S.No.425 of 2015 on the file of Principal Junior Civil Judge's Court, Anantapuramu, the 3rd respondent is proposing to issue pattadar pass book and title deed in favour of R-4.

Learned AGP would submit that a suitable direction may be given to the 3rd respondent to consider the objections raised by the petitioner before issuing pattadar pass book and title deed in favour of R.4.

Having regard to the rival submissions made, the Writ Petition is disposed of directing the 3rd respondent-The Tahasildar to hear the petitioner and consider the objections raised by him before issuing pattadar pass book and title deed in favour of R-4, if not issued already and no endorsement is made till date.

Miscellaneous petitions pending in this writ petition, if any, shall stand closed. No costs.

JUSTICE C. PRAVEEN KUMAR

02.01.2017
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