

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.41254 OF 2016

ORDER:

The case of the petitioner is that he is the absolute owner and possessor of the agricultural land admeasuring Ac.2-00 cents in Sy.No.121-2, in Jogipalli Village, Sydhapuram Mandal, S.P.s.R. Nellore District and petitioner has succeed the said property from his grandfather vide registered settlement deed No.888/2014 dated 22.12.2014. Subsequently, the petitioner's name was mutated in the revenue records and pattadar passbooks and title deeds were issued in favour of the petitioners. While so, the 4th respondent without issuing any notice mutated the name of the 5th respondent in the revenue records in respect of the subject land, which is contrary to Section 5(1) to 5(4) of A.P. Rights in Land and Pattadar Passbook Act, 1971 (for short 'the Act'). Hence, petitioner made a representation on 15.11.2016 before the 4th respondent narrating the facts. But the 4th respondent without considering the same, recommended for mutation of name of the 5th respondent in the revenue records. Aggrieved by the same, the present writ petition is filed.

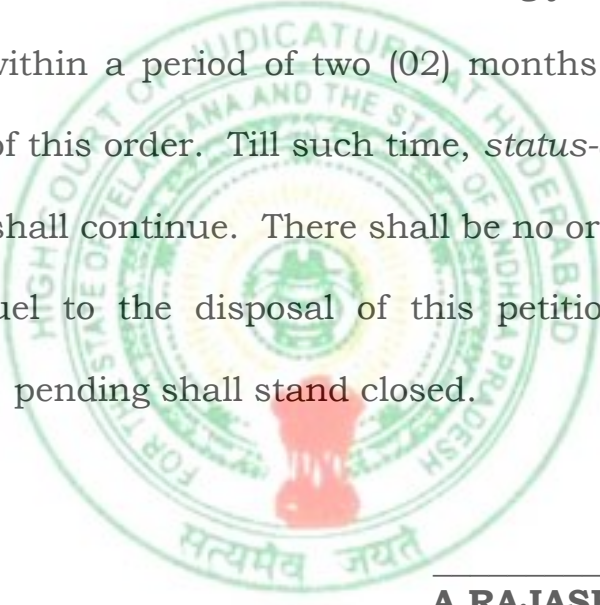
Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Revenue.

Learned counsel for the 5th respondent submits that initially the name of the 5th respondent was mutated in the revenue records. But without issuing any notice to the 5th respondent, the name of the petitioner was entered. As such, the same was corrected by the authorities, later.

Both learned counsel for the petitioner as well as the learned counsel for the 5th respondent submits that the writ petition can be disposed of with a direction to 4th respondent to consider the representation of the petitioner dated 15.11.2015, after issuing notice to both the petitioner and 5th respondent.

In view of the above facts and circumstances, the writ petition is disposed of directing the 4th respondent to dispose of the representation dated 15.11.2016 made by the petitioner after issuing notice to the 5th respondents and after giving an opportunity of hearing and thereafter take action accordingly. The said exercise shall be done within a period of two (02) months from the date of receipt of copy of this order. Till such time, *status-quo* order granted on 28.11.2016 shall continue. There shall be no order as to costs.

As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.



A.RAJASHEKER REDDY,J

21.02.2017
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