

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.12208 OF 2017

ORDER:

This writ petition is filed declaring the action of the respondents 4 and 5 in issuing the pattadar passbook and title deed in favour of Late Smt. Patamsety Janaki and allowing her to register the sale deed in favour of respondent No.6 without verifying the title in respect of the property admeasuring an extent of Ac.6.05 cents comprising of Ac.5.13 cents in R.S.No.861/1 and Ac.0.82 cents in R.S.No.866, situated in Srirampuram Village, Rajanagaram Mandal, East Godavari District basing on the cancelled Will deed bearing No.94/1992 dated 16.03.1992, as illegal and arbitrary.

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

Admittedly, petitioner has alternate remedy of Revision against the cancellation of pattadar passbook and title deed under Section 9 of the Andhra Pradesh Rights in Land and Pattadar Passbook Act, 1971. As far as direction for not entertaining the alienation in respect of subject land is concerned, petitioner has already filed suit for partition and injunction and the same is pending. As such, petitioner cannot avail two parallel remedies, one by way of suit and the other by way of writ petition.

In view of the same, I do not see any reason to entertain the writ petition. Accordingly, the writ petition is dismissed.

However, the Civil Court shall decide the application on merits without being influenced by the order passed by this Court. No costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

07.04.2017
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