

The Hon'ble Sri Justice A.Rajasheker Reddy

Writ Petition No.5851 of 2017

Order:

This Writ Petition is filed for a Mandamus to declare the inaction of respondent No.4, in considering the petitioner's application, dated 03-07-2014, and issuing pattadar pass book and title deed in his favour in respect of the land admeasuring Ac.1-50 cents in Survey No.100/2 of Palakondrayuni Palli Village, Sidhout Mandal, YSR.Kadapa District, as illegal and arbitrary. The petitioner sought for a consequential direction to respondent No.4 to consider his application and issue pattadar passbook and title deed and enter his name in the revenue records.

Heard the learned Counsel for the petitioner and the learned Assistant Government Pleader for Revenue (AP) appearing for the respondents.

The learned Assistant Government Pleader for Revenue has placed before the Court, a copy of written instructions, dated 18.02.2017, received by him from respondent No.4, wherein it is stated that a verification of the Resurvey and Resettlement Register of Peddapalli Village discloses that the

land claimed by the petitioner is classified as Government Dry featuring as (...) in the column of pattadar and that the said land is a Government Land, as no claimant was recorded in the RSR as on the date of preparing the said Register, which discloses the rights of the private pattadars over the lands vested in the particular village. It is further stated therein that on verification of their office records, no assignment, as contended by the petitioner, was found to have been made; that the land in question was left barren since a long time; that nobody is in possession of the same; and that the D- Form patta held by the petitioner is a fictitious one.

The learned Government Pleader submitted that if the petitioner intends to apply for the pattadar pass book, he ought to have filed an application in Form-VI-A under the provisions of the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971, but, he has failed to do so and approached this Court with unclean hands.

Since the petitioner has evidently not made any claim by filing Form-VI A, no relief as prayed for can be granted in this Writ Petition. However, it is open for him to make an application in Form VI A before respondent No.4. Within

eight weeks of filing of such application by the petitioner, respondent No.4 shall consider all the above aspects and pass appropriate order thereon in accordance with law.

Subject to the above direction, the Writ Petition is disposed of.

As a sequel to disposal of the Writ Petition, WPMP.No.7138 of 2017, filed by the petitioner for interim relief, is disposed of as infructuous.

(A.Rajasheker Reddy, J)

Dt: 20th February, 2017
lur

