

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 279 of 2018

Order:

Heard learned counsel for the petitioner.

It is the case of the petitioner that his mother's sister executed a Will on 14.09.1986 conveying an extent of Ac.0.05 cents situated in D.No.375 and another extent of Ac.17.½ cents in D.No.399/1 of Thulluru Mandal, Guntur District in favour of his mother. The executant expired on 05.01.1988, as a result of which his mother became an absolute owner of the property. He further states that his mother executed two gift deeds on 10.05.2017 and on 29.08.2016 in respect of the above property in his favour. Now, his grievance is that by virtue of the possessory certificates issued by the Village Revenue Officer, Pedaparimi village in favour of one Cherukuri Sakunthala and Ganta Krishna Babu his rights are affected. He states that he submitted a representation on 20.07.2017 to the revenue authorities seeking enquiry in respect of those certificates and when no action was taken by them, the present Writ Petition was filed.

This Court noticed that the said Cherukuri Sakunthala and Ganta Krishna Babu in whose favour the alleged possessory certificates were issued in respect of the land claimed by the petitioner are not made parties to the present Writ Petition. A reading of the possessory certificates show that they were issued by the Village Revenue Officer in a printed proforma for the land in possession of the persons named therein. The said certificates were issued on 02.03.2015 and 13.03.2015. It is not known on what basis the said possessory certificates were issued by the Village Revenue Officer. Be that as it may, if the rights of the petitioner are affected, the petitioner has a remedy elsewhere. In order to establish or assert his title to the land, the petitioner cannot invoke the

extraordinary jurisdiction of this Court for redressal of his grievance on the basis of a representation which was not disposed of by the revenue authorities. The matter relates to investigation of facts and decision affecting the rights of the parties. In view of this, the Writ Petition cannot be entertained for the relief sought for.

The Writ Petition is, accordingly, dismissed. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

Date: 18.01.2018
Nsr



A. RAMALINGESWARA RAO, J