

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.8211 of 2018

ORDER:

This Writ Petition is filed seeking a direction to the third respondent to consider the petitioner's objections dated 07.02.2018 and 23.02.2018 before issuing the pattadar pass books and title deeds in favour of respondent No.4 in respect of the land admeasuring Ac.3.85 cents in Survey No.100-1, Acs.10.98 cents in Survey No.118-1, Ac.1.96 cents in Survey No.248-2 and Acs.20.50 cents in Survey No.120-2 and also an extent of Acs.3.40 cents out of Acs.8.23 cents in Survey No.121 situated at Chennekothapalli Revenue Village, Chennekothapalli Mandal in Anantapuram District.

In view of the nature of disposal of the present Writ Petition in the manner indicated below, the notice to respondent No.4 is dispensed with.

The petitioner states that he is a physically challenged person and he along with his family members are joint owners of properties in various survey numbers situated at Chennekothapalli Revenue Village, Chennekothapalli Mandal in Anantapuram District. He states that a suit in O.S.No.129 of 2011 was filed by him along with the mother of the fourth respondent and others against one Sri P.Pedda Narayanappa and others, which was dismissed by the learned Senior Civil Judge, Dharmavaram, on 25.09.2014. Challenging the same, A.S.No.59 of 2017 was filed on the file of the learned III Additional District Judge, Anantapuram, which is pending adjudication. While so, the mother of the fourth respondent died. The petitioner contends that the fourth respondent is trying to obtain

pattadar pass books and title deeds in respect of the subject property by suppressing the material facts and by colluding with the revenue authorities and after coming to know the same, representations were given to the third respondent by the petitioner on 07.02.2018 and 23.02.2018 not to issue pattadar pass books and title deeds to respondent No.4.

Mere pendency of a suit or appeal will not bar the fourth respondent from considering the request for issuance of pattadar pass books and title deeds or change of entries in the revenue records, unless there is a Court order. If respondent No.4 submitted an application in accordance with the provisions of the Andhra Pradesh Rights in Land and Pattadar Pass Books Act and the petitioner has filed objections to the same, the request of respondent No.4 shall be considered along with the objections filed by the petitioner on 07.02.2018 and 23.02.2018 in accordance with the provisions of the said Act and no relief can be granted in the present Writ Petition, except making the position clear, as above.

The Writ Petition is, accordingly, disposed of. The miscellaneous petitions pending in this Writ Petition, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

14.03.2018
vs