

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.8910 OF 2018

DATED :19.03.2018

Between :

Vasa Ramanamma W/o.Late Audisehsiah,
Aged 53 yrs, R/o.Guvvagunta Village,
Kodavalur mandal, Nellore District,
Andhra Pradesh & another.

.. Petitioners

And

The State of Andhra Pradesh,
Rep., by its Special Chief Secretary,
Revenue, Secretariat Buildings,
Velagapudi, Amaravathi, A.P. & others.

.. Respondents



This court made the following :

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ORDER :

Heard learned counsel for the petitioner and learned Assistant Government pleader.

2. This writ petition is filed challenging the notice dated 20.02.2018 calling upon the petitioners to respond to the request made by Smt. Vasa Kameswaramma W/o.Late Audiseshaiah, R/o.Naidupalem, dated 03.02.2018 stating that her husband died on 19.10.2011 leaving behind herself, daughter and a son and therefore family member certificate be issued. According to the petitioners after death of late Audiseshaiah family member certificate was issued by Tahsildar, Kodavaluru on 05.12.2011 in their favour and when such certificate is in force, it is no more open to the Tahsildar, to entertain such request. Though it is asserted that Tahsildar was informed and the document was placed before him, apparently, no written explanation was filed enclosing the document. Furthermore, so far no decision is made by the Tahsildar. It cannot be assumed that the Tahsildar would not take the objections into consideration before passing an order, in order to entertain the writ petition at this stage. It is not the case of petitioner that Tahsildar is not competent to entertain and consider the application of Smt. Vasa Kameshwaramma. It would be entirely different thing whether Tahsildar can grant a fresh family member certificate when such a certificate was already issued.

The aggrieved person must place the relevant material before the competent authority and invite a decision. Therefore, even before a decision is made, the Court is not inclined to entertain the writ petition.

3. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

19th March, 2018
Rds

P.NAVEEN RAO,J

