

HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.17130 of 2018

ORDER:

The petitioner apprehending exercise of jurisdiction at the instance of ryots to an extent of Ac.5-00 gts., in Sy.No.81/4/3 of Ponnekal Village, Kamepalli Mandal, Khammam District, under Section 5-A of A.P.Rights in Land and Pattadar Pass Books Act, 1971 (for short 'the Act') filed caveat and the prayer in the caveat reads as follows :-

“That my predecessors never executed any registered or unregistered in anyones name in respect of the land in above mentioned survey numbers. But some farmers are trying to get registered the above lands for forgery. There that may be negative and it may be intimated by way of notice to us. If any unregistered sale deed is regulated by way of registration you and you will be responsible and we are constrained to approach the appropriate forum for redressal of our grievance.”

Now, the present writ petition is filed for the following relief :-

“.... to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not considering the representation dated 02.01.2018 of the petitioner to enquire and enter her name for uploading the information in the computerized information data in respect of land admeasuring Ac.5.00 gts in Sy No 81/4/3 of Ponnekal Village, Kamepalli Mandal, Khammam District, as bad, illegal, arbitrary, improper, unjust and against the principles of natural justice and against the Articles 14 and 21 of Constitution of India and consequently direct the respondents to upload the land admeasuring Ac.5.00 gts in

Sy.No.81/ 4/ 3 of Ponnekal Village, Kamepalli Mandal, Khammam District of the petitioner in the computerized information and further direct them to complete the enquiry and grant such other relief or reliefs...".

I have heard Mr.V.Y.Prabhu for petitioner and the learned Assistant Government Pleader for Revenue.

The prayer refers to inaction against representation dated 02.01.2018.

The inaction now pointed out by petitioner cannot be appreciated or the relief moulded while disposing of the writ petition. Inasmuch as the petitioner through the representation has put the 4th respondent on notice that the 4th respondent shall not entertain an application for regularization under Section 5-A of the Act.

Since the representation is already made, which is acting as a caveat, this Court at this stage of the matter ought not to treat the filing and pendency of representation as inaction and issue directions. As and when an issue for regularization or issue of pattadar pass books is taken up, the 4th respondent is under obligation to take note of the caveat already lodged by petitioner.

With the above observations, the writ petition is dismissed. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

S. V. BHATT, J

Date: 04-06-2018
Prv

