

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION.No.18702 of 2018

ORDER:

Heard Sri D.Pochaiah for petitioner and the learned Assistant Government Pleader for Revenue.

The petitioner prays for mandamus declaring the action of the respondents in interfering with petitioner's possession and enjoyment of house property in **Sy.No.370/AA** at Ponkal Shivar, Jannaram Mandal, Mancherial District as illegal, arbitrary and unconstitutional.

The case of the petitioner is that the petitioner through Bhoomi Vikrayanama Patramu dated 28.7.2012 claims to have purchased an extent of 3 guntas from Baba Goud for a sum of Rs.2,25,000/-. Therefore, the petitioner is in possession and enjoyment of the property purchased through unregistered Bhoomi Vikrayanama Patramu. The petitioner refers to building permission dated 28.8.2004 issued by Ponkal Gram Panchayat in favour of the petitioner's vendor Baba Goud. The Court prefers to make comment on each one of the documents simultaneously to avoid repetition of these self contradictory documents. Permission now relied on by the petitioner does not refer to survey number or area in which the building permission is granted. The petitioner relies on pattadar pass book and copies of adangals showing the name of Baba Goud. Now the grievance is respondents 2 to 4, at the instance of the 5th respondent, are interfering with the possession and enjoyment of the petitioner. Hence, the writ petition.

Petitioner placed her claim on unstamped document dated 28.7.2012. Unless and until the petitioner claims conveyance of right, title and possession in the subject matter in her favour of her in accordance with law, the petitioner cannot claim status or have grievance against respondents 2 to 4. Further, inchoate proceedings filed by the petitioner are not standing in the name of the petitioner but stands in the name of one Baba Goud. Further, the petitioner relies on a solitary pahani dated 28.4.2015 and pattadar pass book said to have been issued in the name of Baba Goud. The petitioner, without proper conveyance of title or interest in the subject matter, prays for writ mandamus to restrain respondents 2 to 4 or interfere with the petitioner's possession which is at the instance of 5th respondent. On this apprehension and by referring to inchoate and self contradictory documents, this Court, at the instance of petitioner, cannot entertain the writ petition.

The Writ Petition is dismissed.

Miscellaneous petitions pending, if any, in this Writ Petition shall stand closed. There shall be no order as to costs.

S.V.BHATT, J

Dated: 07/06/2018

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