

HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.23104 of 2018

ORDER:

Heard Mr.Peri Prabhakar for petitioner and the learned Assistant Government Pleader for Revenue.

The petitioner claims right and title over the subject matter of writ petition. Apprehending grant of pattadar passbooks/title deeds in favour of respondent Nos.4 and 5, the petitioner has filed the present writ petition.

Mr.Peri Prabhakar fairly states that the petitioner is compelled to invoke the jurisdiction of this Court under Article 226 for two reasons *namely* a representation is already filed before 3rd respondent objecting to the grant of pattadar pass books/title deeds and the objections filed by petitioner are not considered. Hence, the writ petition.

I have perused the record and noted the submissions of Mr.Peri Prabhakar.

Prima facie, this Court is of the view that the petitioner if has filed objections and the objections are ignored by 3rd respondent, the same constitutes a ground in law and fact to be canvassed before the appellate authority in the appeal filed against the order passed by the 3rd respondent. On mere apprehension of grant of pattadar pass books, this Court if entertains the writ prayer, the same amounts to entertaining a writ petition in anticipation of

respondents acting against the interest of petitioner. Such course ought to be avoided. In spite of persuasion by Mr.Peri Prabhakar, this Court is not convinced to entertain the writ petition.

Hence, the writ petition is dismissed. The dismissal of writ petition ought not to be understood as this Court expressing a view on the allegations or entitlement of petitioner. The petitioner can certainly work out statutory remedies against omissions and commissions of 3rd respondent vis-à-vis respondents 4 and 5. No order as to costs.

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

Dt: 06-07-2018
Prv



S. V. BHATT, J

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Prv