

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION NO.6674 OF 2005

ORDER:

This writ petition is filed challenging the endorsement of the third respondent in ROC.No.B/127/2004, dated 20.01.2005, refusing to issue pattadar passbook, title deed and copies of 10(1) adangal to the petitioners in respect of lands in Sy.Nos.536, 537/1, 537/2 and 538 of Erramareddipalem Village, Renigunta Mandal, Chittoor District, and also for not conducting survey and fixing the boundaries.

2. It is the case of the petitioners that they and 2 others purchased an extent of land Ac.1-41 cents in Sy.No.536, Ac.4-99 cents in Sy.No.537/1, Ac.3-48 cents in Sy.No.537/2 and Ac.3-48 cents in Sy.No.538 of Erramareddipalem Village, Renigunta Mandal, Chittoor District from the original owners viz., S.Ramanujulu and K.S.Ramanujam, who were granted Ryotwari pattas under the provisions of the Andhra Pradesh (Andhra Area) Inam Abolition Act. When the vendors of the petitioners presented the sale deeds executed in favour of the petitioners herein, the registering authority refused to register the documents and therefore they filed W.P.No.2086 of 1995 and the same was allowed directing the registering authority to register the documents as and when the owners present the documents. Accordingly, the sale deeds were registered in favour of the petitioners herein. Consequent on the said registration, the petitioners made applications to the third respondent for effecting necessary change in the records and also to issue necessary passbooks under the

provisions of the Andhra Pradesh Record of Rights in Land and Pattadar Passbook Act, 1971. However, the third respondent, by order dated 23.12.2000, refused to effect the changes, challenging which, the petitioners filed W.P.No.3823 of 2001. This Court, by order dated 17.10.2001 allowed the said writ petition, directing the respondents to issue Patta Transfer Certificate as well as No Objection Certificate to the petitioners. The revenue authorities, aggrieved by the said order, preferred Writ Appeal No.172 of 2002 and the same was dismissed on 07.03.2002. Thereafter, the third respondent issued Patta Transfer Certificate in favour of the petitioners on 23.04.2002 effecting transfer in the place of the vendors of the petitioners. The third respondent also issued No Objection Certificate dated 23.05.2002. Thereafter, when the petitioners conducted developmental activities in their land, some third parties interfered with the same. For such action, the petitioners made complaints to the third respondent on 24.02.2004 and also to the Additional Superintendent of Police, Tirupati, for providing necessary protection. As they did not take any action, the petitioners filed W.P.No.4542 of 2004 and this Court, by order dated 08.04.2004, disposed of the said writ petition directing the official respondents therein to provide necessary protection to the petitioners so as to carry out their operations in their lands. Thereafter, when the Government Authorities tried to lay a road from the lands of the petitioners, they filed W.P.No.1919 of 2005 and this Court, by order dated 10.03.2005, allowed the said writ petition restraining the respondents therein from laying any road across the land of the petitioners, except by acquiring the same

duly following the procedure prescribed under law. Subsequently, when the third refused to issue pattadar passbook, title deed and copies of 10(1) adangal to the petitioners in respect of subject lands, they have come up with the present writ petition.

3. It is contended by the learned counsel for the petitioners that the notice dated 19.06.1985 does not contain the survey numbers of the lands of the petitioners for making them subject matter of enquiry and that in the absence of the same, the petitioners cannot be put to any hardship.

4. In the facts and circumstances of the present case and also in view of the aforesaid orders of this Court, the endorsement of the third respondent in ROC.No.B/127/2004, dated 20.01.2005, is set aside and the respondents are directed to issue pattadar passbook, title deed and copies of 10(1) adangal to the petitioners in respect of lands in Sy.Nos.536, 537/1, 537/2 and 538 of Erramareddipalam Village, Renigunta Mandal, Chittoor District and also conduct survey and fixing the boundaries, in accordance with law, without any further delay.

5. The writ petition is accordingly disposed of. No costs. As a sequel, the Miscellaneous Petitions pending if any shall stand closed.

T.AMARNATH GOUD, J

Date: 02.05.2018
TJMR