

HON'BLE SRI JUSTICE RAMESH RANGANATHAN
AND
HON'BLE SMT JUSTICE KONGARA VIJAYA LAKSHMI

Writ Appeal No.1101 of 2018

JUDGMENT: {Per Hon'ble Sri Justice Ramesh Ranganathan}

This appeal is preferred by the petitioner in W.P.No.22541 of 2018 aggrieved by the order passed by the Learned Single Judge on 03.07.2018 dismissing the writ petition. The appellant herein invoked the jurisdiction of this Court to declare the inaction of the Tahsildar, Suryapet Mandal, in issuing new pattadar pass books, title deeds and cheques under the Rythubandu Scheme to him in respect of the land of an extent of Ac.1.19 guntas in Survey No.410/A and an extent of Ac.2.12 guntas in Survey No.411/A, totally admeasuring an extent of Ac.3.31 guntas situated in Gandhi Nagar, H/o Pillaimarri Village, Suryapet Mandal and District, as illegal, arbitrary and contrary to the provisions of the A.P.Rights in Land and Pattadar Pass Books Act, 1971 (for short "the Act").

The appellant-writ petitioner's case, in short, is that, in terms of the Rythubandu Scheme, all the existing pattadar pass book holders were granted fresh pattadar pass books, apart from an amount of Rs.4,000/- per acre; the petitioner was neither issued new pattadar pass books, nor was he paid Rs.4,000/- per acre, before he filed the writ petition, even though his name was reflected in all the revenue records including the pahanies, 1-B register etc; the petitioner was issued a pattadar pass book earlier, under the Act, which he continues to hold; and, after the writ petition was filed, the petitioner has also received a cheque for Rs.33,000/- for the lands held by him in the subject Mandal, including the subject lands.

The Learned Single Judge dismissed the writ petition, as premature, at the stage of admission. No reasons are reflected in the order

as to why the Learned Single Judge considered the writ petition pre-mature.

The learned Assistant Government Pleader for Revenue would submit that all those who own lands are being issued fresh pattadar passbooks, besides Rs.4,000/- per acre, under the Rythubandu Scheme; the reason as to why the petitioner was not issued pattadar pass books would be ascertained; and, in case this Court were to restore the writ petition to file, the respondents may be granted two weeks' time to file a counter-affidavit in the writ petition.

As the order under appeal does not reflect any reasons as to why the Learned Single Judge considered the writ petition pre-mature, we consider it appropriate to set aside the same, and restore W.P.No.22541 of 2018 to file. The respondents shall file their counter-affidavit in the writ petition within two weeks from today. It is open to the petitioner to request the Learned Single Judge to take up the writ petition for admission any day after two weeks.

The Writ Appeal is disposed of accordingly. Miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

(RAMESH RANGANATHAN, J)

(KONGARA VIJAYA LAKSHMI, J)

27th August, 2018
JSU

HON'BLE SRI JUSTICE RAMESH RANGANATHAN
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Date: 27.08.2018

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