

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.39158 OF 2018

ORDER :

This petition is filed for a writ of *Mandamus* declaring the action of the respondents in not taking appropriate action against the unofficial respondents 5 to 8 by cancelling the pattadar pass books and title deeds issued to them in respect of the lands to an extent of Ac.4.49 cents in Sy.No.178/2 vide docket patta No.1741/79 (revised) (ii) an extent of land Ac.4.42 cents in survey no.179, vide docket patta No.1740/79 (revised) and (iii) an extent of Ac.3.74 cents in Sy.No.182/2, vide Docket Patta No.1734/79 (revised), as illegal and arbitrary.

Heard learned counsel for the petitioners.

Learned Assistant Government Pleader for Revenue produced written instructions stating that after thorough search, the DKT pattas issued in favour of the father of the petitioners in the year 1971-1972 are not available; that after verification of I B register, the then Mandal Revenue Officer, has granted pattadar pass books in the name of unofficial respondents in respect of the subject land; that in this regard disputes arose between the petitioners and unofficial respondents and following suits are filed by the unofficial respondents; and that the Civil Court granted injunction in all the said suits, as such no action can be taken.

OS.No.307/2003 in respect of land to an extent of Ac.4.49 cents in sy.No.178/2

OS.No.248/98 in respect of land to an extent of Ac.4.40 cents in Sy.No.179

OS.No.276/2006 in respect of land to an extent of Ac.3.74 cents in Sy.No.182/2.

Learned counsel for the petitioners submits that suits are not maintainable.

Having suffered a decree the petitioners cannot come and approach this court. If they are aggrieved by the said decrees, it is open for the petitioners to challenge the same by availing appropriate remedy.

In view of the aforesaid facts and circumstances, no relief can be granted.

According the writ petition is disposed of granting liberty to the petitioners to avail alternate remedy as may be available to them under law. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

13.11.2018
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