

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.43694 AND 43739 OF 2018

COMMON ORDER

The case of the petitioners in both the writ petitions is that they are owners and possessors of the subject lands, and as their names were not mutated in the revenue records and pattadar pass books and title deeds were not issued, they made representations dated 20.04.2017 to the 4th respondent – Tahsildar, and as there was inaction on his party, filed W.P.No.41268 of 2017, and this court by order dated 18.12.2017, dismissed the writ petition as withdrawn with liberty to the petitioners to file application before the 4th respondent in Form 6-A under the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971, for mutation as well as for issuance of pattadar pass books and title deeds. The grievance of the petitioners is that in pursuance of the said order, when the petitioners made applications, the 4th respondent is not considering the same in accordance with law.

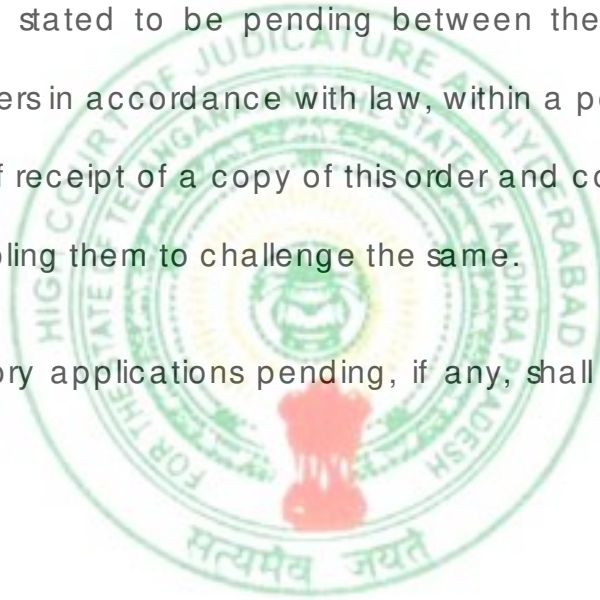
Learned Assistant Government Pleader for Revenue, producing written instructions of the 4th respondent, submits that there is civil dispute between the petitioners and the third parties and hence the petitioners are not entitled for consideration of their claim for mutation and for issuance of pattadar pass books and title deeds in respect of the subject property.

Learned counsel for the petitioners dispute the assertion made in the written instructions of the 4th respondent with regard to civil dispute between the petitioners and the third parties.

This court cannot go into the disputed questions of fact pleaded by the learned counsel. However, it goes without saying that when the petitioners stated to have made representations for mutation and for issuance of pattadar pass books and title deeds, 4th respondent is obligated to consider the facts and circumstances of the case and dispose of the same, and the parties aggrieved, will be in a position to challenge the same in accordance with law.

In view of the facts and circumstances, without expressing any opinion on merits, writ petitions are disposed of directing the 4th respondent to take into consideration all the facts and circumstances and the civil dispute stated to be pending between the parties, and pass appropriate orders in accordance with law, within a period of four weeks from the date of receipt of a copy of this order and communicate to the petitioners, enabling them to challenge the same.

Interlocutory applications pending, if any, shall stand closed. No costs.



A. RAJA SHEKER REDDY, J

DATE: 03—12—2018

AVS