

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITON No.47079 of 2018

ORDER:

The case of the petitioner is that he is the absolute owner and possessor of the lands admeasuring Ac.0-20 cents in Sy.No.77/1 and an extent of Ac.0-22 cents in Sy.No.76/1 of Ramarajupalli Village, Kadapa Mandal, YSR District. When one Smt.M.H.Pyarijan along with 8th respondent and her sons were interfering with the possession of petitioner over subject lands, he filed O.S.No.86 of 1997 on the file of Senior Civil Judge, Kadapa seeking declaration of tile over the subject lands and for perpetual injunction against them. The said suit was decreed on 19-08-2003, which became final. Thereafter one M.H.Pyarizan and her two sons i.e. respondents 6 and 7 filed O.S.No.1301 of 2006 on the file of III Additional Junior Civil Judge, Kadapa seeking a decree for declaration of title over the land to an extent of Ac.0-20 cents in Sy.No.77/1 of Ramrajupalli Village and said suit was decreed, but the same was reversed in A.S.No.51 of 2008 on the file of Principal District Judge, Kadapa vide judgment dated 06-06-2009. After disposal of appeal, the petitioner filed applications on 15-05-2018, 18-06-2018 and on 26-09-2018 for amendment of 1-B Register and to issue title deed and pattadar passbook in respect of his land situated in Sy.No.77/1 and also the name of 8th respondent in respect of land in Sy.No.76/1 by enclosing the copies of decree passed in O.S.No.86 of 1997, dated 19-08-2003 and AS.No.51 of 2008, dated 06-06-2009.

The petitioner was also issued notice dated 12-10-2018 fixing the date of hearing on 20-10-2018. Whereas, in the official website, the orders displayed showing that application of the petitioner was rejected on 12-10-2018 inspite of the submission of the documents. Aggrieved by the same, the present writ petition is filed.

Heard both sides.

In view of the facts and circumstances of the case, since the petitioner was already issued notice dated 12-10-2018 and he filed documents, the 5th respondent is directed to consider the application of the petitioner, dated 26-09-2018 in terms of Section 5 of A.P.Rights in Land and Pattadar Passbooks Act and take action accordingly by issuing notice to the petitioner and affected parties if any before disposing the applications of the petitioner.

With the above direction, the writ petition is disposed of. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

28-12-2018
Nvl



