THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.3367 of 2019

ORDER:

The prayer of the petitioner in this case reads as under:

> 'For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus, by declaring the inaction of the Respondents No.4 and 5 in issuance of illegal Pattadhar Pass Books in favour of the Respondents No.6 to 9 by receiving the legal notices and without verifying conducting the panchanama and possession, as illegal and arbitrary, against the Principles of Natural Justice, consequently to direct the Respondents No.2 to 5 to take the departmental action against the illegal issuance of Pattadhar Pass Books in favour of the Respondents No.6 to 9 and direct them to cancel the illegal pattadhar pass books of Respondents No.6 to 9, and pass such other orders as may deem fit and proper in the circumstances of the case.'

It is an admitted fact that the mother of the petitioner executed a registered sale deed bearing Document No.3970 of 2017 in favour of the unofficial respondents and the petitioner filed O.S.No.11 of 2018 before the learned Senior Civil Judge, Miryalaguda, seeking cancellation of the said sale deed. It is also an admitted fact that the petitioner did not secure any interim order in the said suit restraining the revenue authorities from taking action on the strength of the sale deed. Merely because the suit is pending, the petitioner cannot find fault with the revenue authorities in acting upon the registered sale transaction once it is brought to their notice.

It is the further case of the petitioner that the unofficial respondents were not even in possession of the subject land. However, this aspect of the matter would be a disputed question of fact as a sale deed would ordinarily contain a recital as to delivery of possession. In any event, as the suit filed by the petitioner is pending before a competent civil Court, it is for him to seek appropriate relief therein.

In that view of the matter, this Court finds no illegality on the part of the revenue authorities warranting any departmental action being initiated against them. Except for the self-serving allegations and *ipse dixit* averments, the petitioner is not able to demonstrate any illegality, collusion or fraud having been committed by the revenue authorities.

The writ petition is devoid of merit and is accordingly dismissed. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

JUSTICE SANJAY KUMAR

Date:20.02.2019

GJ