

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.8150 of 2019

ORDER:

This writ petition is filed challenging the impugned proceedings dated 04.04.2019 issued by respondent No.4 in respect of the subject property, as illegal and arbitrary.

The brief facts of the case of the petitioner are that the petitioner's name was entered with respect to the property commercial mulgies bearing No.4-213/B1, 4-213/B1/1 (located on Ground Floor), bounded by East: Mulgi bearing No.4-123/A1, West: House of Mamidala Poshanna, North: (R&B) Road, South: Mulgi bearing No.213/B2; and mulgies bearing Nos.213/B3 and 4-213/B3/1 (located on First Floor) bounded by East: Passage, West: House of Mamidala Poshanna, North: Staircase of the complex, South: Mulgi bearing No.213/A3, situated on the main road, Kaddam, within the limits of Peddur Kaddam (GP) of Nirmal District. There is a rival claim by respondent No.5 – Chennuri Rajanna, s/o. Ramulu and respondent No.6 – Smt. Chennuri Lavanya, w/o. Narayana, in respect of the said property seeking to record transfer of the said property in their favour in the Gram Panchayat records.

Having received the said rival claims from respondent Nos.5 and 6, respondent No.4 – Gram Panchayat, Peddur Kaddam, has issued a notice dated 04.04.2019 to the petitioner as well as respondent Nos.5 and 6 so as to consider

their respective claims. The petitioner submits that even before receipt of the said notice, he filed objections on 20.03.2019. However, ignoring the said objections, respondent No.4 has issued the impugned notice dated 04.04.2019. This writ petition is filed under the apprehension that the objections raised by the petitioner on 20.03.2019 would not be considered.

Learned Standing Counsel for respondent Nos.3 and 4 submits that the objections raised by the petitioner as well as the claims of respondent Nos.5 and 6 will be considered and, in case of any doubt with regard to the title of the subject property, necessary legal opinion also would be obtained before deciding the respective claims of the petitioner as well as respondent Nos.5 and 6.

Recording the said submission of the learned Standing Counsel, this writ petition is disposed of directing respondent Nos.3 and 4 to consider the respective claims of the petitioner as well as respondent Nos.5 and 6 in respect of the subject property and pass appropriate orders in accordance with law. No order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE CHALLA KODANDA RAM

17.04.2019.
Msr

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Msr