

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

WRIT PETITION No.2202 of 2020

ORDER :

In this writ petition, the petitioner is represented by his power of Attorney Holder by name M.Baig Salmani S/o.Late M.M.B.Salmani, Retired employee, R/o.Flat No.203, Nasr Plaza, 8-1-158/21, Suyanagar, Towlichowki, Hyderabad.

The case of the petitioner is that his father by name N.Sripada Rao purchased the land in Sy.No.176/5 admeasuring an extent of Ac.3-16 guntas, Sy.No.176/6 admeasuring an extent of Ac.3-08 guntas, Sy.No.176/12 admeasuring an extent of Ac.5-04 guntas, Sy.No.176/14 admeasuring an extent of Ac.1-29 guntas in Aziznagar Village, Hyderabad West under registered sale deeds dated 20-04-1965, 02-06-1965 and 24-04-1965 respectively. Thereafter, the same was approved by the then Tahsildar by issuing certificates under 50-B of Andhra Pradesh (Telangana Area) Tenancy and Agricultural Lands Act, 1950, and issued proceedings accordingly. Thereafter, pattadar passbooks were also issued in the name of N.Sripada Rao and pahanies from the year 1965-2000 his name has been incorporated. Thereafter a show-cause notice dated 17-11-2011 was issued by the Mandal Revenue Officer (M.R.O.), Moinabad to said Sripada Rao alleging that the land in his occupation is a Government land and to show cause why he should not be evicted. On that said Sripada Rao gave explanation by enclosing 50-B certificates and the patta passbooks and thereafter, the M.R.O. Moinabad passed orders in his proceedings No.B/1250/2001, dated 16-02-2002 stating that the land belongs to the Government and liable to be evicted from the

subject land. Challenging the said order, the father of the petitioner preferred an appeal before the Special Grade Deputy Collector and the Revenue Divisional Officer (R.D.O.), Chevella Division, Ranga Reddy District. The Revenue Divisional officer dismissed the appeal on 24-06-2006 vide proceedings Ref.No.D/599/06. On that the father of the petitioner preferred a revision before the Joint Collector, Ranga Reddy and the same was dismissed on 18-08-2007 in Case No.E1/1981/2002. Aggrieved by the above orders, the father of the petitioner filed WP.No.21085 of 2007 before this Court and this Court granted interim order directing the revenue authorities not to dispossess the petitioner. A vacate stay petition was also filed in the writ petition and the same was dismissed and stay made absolute. Since the father of petitioner expired on 08-04-2015, the petitioner came on record in WP.No.21085 of 2007 being the legal representative represented by GPA holder M.Baig Salmani) and the said writ petition was allowed on 04-04-2017 by setting aside the order dated 16-02-2002, 24-06-2006, 18-08-2007 passed by the M.R.O., R.D.O. and Joint Collector stated supra. It is also stated that this Court also set aside the proceedings transferring the subject land to the Andhra Pradesh Housing Board as well as the consequential sale deed dated 17-01-2008 to the extent of subject land in favour of M/s.Deccan Infrastructure and Land Holdings Limited (DIL). The respondents did not prefer any appeal against the said order and the same has become final. Thereafter, the petitioner has made a detailed representation to the Joint Collector and the R.D.O. on 10-01-2018. The R.D.O., Chevella Division, Ranga Reddy District issued proceedings in N.Dis.No.C/SPL/2018, dated 25-07-2018 to

the Tahsildar, Moinabad Mandal to take action according to orders passed in WP.No.21085 of 2007 and report compliance within three days and dispose of the representation of the petitioner. So far, the 4th respondent has not taken any action. Then the petitioner made representations to the Tahsildar on 24-07-2019 and 28-10-2019 for issuance of E-Passbook in respect of subject land and the same is also pending. It is stated that the petitioner has made an application on 25-09-2019 to the 4th respondent under Form VI-A under Rule 18 Andhra Pradesh Rights in Land and Pattadar Passbooks Rules, 1989 and Section 4(1) of Andhra Pradesh Rights in land and Pattadar Passbooks Act, 1971 (for short "the Act") for issuance of pattadar passbook. As no action has been taken, the present writ petition is filed.

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Revenue.

The petitioner has clearly mentioned the above facts leading to filing of application under Form-VI-A of the Act and the competent authority has to consider the same and take action.

In view of the same, this writ petition is disposed of directing the 4th respondent to consider the above facts and take action accordingly on the application of the petitioner within a period of three months from the date of receipt of a copy of this order. No order as to costs.

As a sequel, miscellaneous applications pending, if any, shall stand closed.

A. RAJASHEKER REDDY, J

04-02-2020
Nvl



HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

ARBITRATION APPLICATION No.97 of 2019



31.12.2019
(Msr)