

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

DATED: THIS the 31st day of March, 2011.

PRESENT:
THE HON'BLE SRI JUSTICE A. GOPAL REDDY

W.P.No. 16209 of 2003

Between:

Mohd. Aleemuddin

..Petitioner

and

The Mandal Revenue Officer,
Mominpet Mandal, Ranga Reddy District
And another

Respondents

THE HON'BLE SRI JUSTICE A. GOPAL REDDY

W.P.No. 16209 of 2003

Order:

The petitioner seeks a Writ of Mandamus directing the respondents to issue Title Deed and Pattadar Pass book, by updating the revenue records by incorporating the name of the petitioner in the Records of Rights and other revenue records, including the pahanies, as per the proceedings No.B/1470/1998 and B/4171/1998 dated:5-12-1998 issued by the first respondent.

2. By proceedings No.B/1470/1998 and B/4171/1998 dated: 5-12-1998, the first respondent in exercise of powers under section 5 of the A.P. Rights in Land and Pattadar Pass Books Act (for brevity the Act) ordered for change of entries in respect of the lands measuring Ac.2.00 guntas in Sy.No.188/2 and Ac.0.38 guntas in Sy.No.180/2 situated at Velchal village, Mominpet Mandal, Ranga Reddy District, in favour of the petitioner herein; but as corresponding updation of revenue records has not been carried out pursuant to the above orders, the present writ petition has been filed.

3. In the counter filed by the first respondent, it is stated that proceedings were issued on 5.12.1998 in respect of land in Sy.No.180/2 for an extent of Ac.0.38 guntas and Sy.No.188/2 for an extent of Ac.4.19 guntas, but the same were not implemented. It appears from the record that before issuing proceedings it was not determined as to who was in possession of the land in question. Under Rule 26 of the A.P. Rights in Land and Pattadar Pass Books Rules only persons who are in possession of the land shall be entitled for getting the names entered into the revenue records and for issuance of pattadar pass books and title deeds. In so far as the

land in Sy.No. 180/2 measuring Ac. 0.38 guntas is concerned, the petitioner is in possession; but the petitioner's claim in respect of Ac.2-00 in Sy.No.188/2, it was found that he is not in possession of the land. He had already initiated steps for issuing Pattadar pass book and title deed infavour of the petitioner and for updating the relevant records in respect of the land measuring Ac.0.38 guntas in Sy.No. 180/2. However, as the petitioner is not inpossessionof the land measuring Ac.2.00 in Sy.No.188/2, the claim of the petitioner cannot be considered as he is not in possession of the same.

4. Rule 26 (3) of the A.P. Rights in Land and Pattadar Pass Books Rules adumbrates that the Pattadar pass books shall be given to the owners pattadars, tenants ,mortgages and occupants of the inam lands.

5. Therefore, when once the petitioner was declared as owner of the lands in question by proceedings dated:5-12-1998 he is entitled for the Pattadar Pass book and title deed. In view of the same the respondents are directed to issue Pattedar Pass book and Title Deed to the petitioners as per proceedings No.B/1470/1998 and B/4171/1998 dated:5-12-1998, if already not issued.

6. With the directions as above, the writ petition is disposed of. No costs.

A. GOPAL REDDY, J.

March 31, 2011.

***BVS**

THE HON'BLE SRI JUSTICE A. GOPAL REDDY

W.P.No. 16209 of 2003

31-3-2011