

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION NO.38918 OF 2013

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Dated 31st December 2013

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BETWEEN:

1. Dubbakula Sathaiah (died) per LRs.2 to 5 and nine others.

...PETITIONERS

AND

1. The Government of Andhra Pradesh, rep.by its Principal Secretary, Revenue Department, Secretariat, Hyderabad and six others.

...RESPONDENTS

**Counsel for the petitioners: Mr. Akkam Eswar for
Mr. B.Chandrasen Reddy**

**Counsel for respondent Nos.1 to 4: Assistant Government
Pleader for Revenue**

Counsel for respondent Nos.5 to 7:

The Court made the following:

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION NO.38918 OF 2013

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ORDER:

This Writ Petition is filed for a mandamus to set aside order in Case No.F1/29/2010 dated 11.12.2013 of respondent No.2 whereby he has set aside the order of respondent No.3 granting Occupancy Rights Certificate (ORC) to the petitioners in respect of lands admeasuring Ac.0.14 gts and Ac.1.04 gts in Survey Nos.378 and 379 respectively of Adibhatla Village, Ibrahimpatnam Mandal,

Ranga Reddy District.

A perusal of the impugned order shows that the ORC granted to the petitioners was set aside and the case was remanded to respondent No.3 for a *de novo* enquiry after issuing notices to all the parties interested in the property. The only ground on which this order has been questioned by the petitioners is that no notice whatsoever was given to the petitioners before the said order was passed. Respondent No.2, in his impugned order, has observed that after issuing notices to both the parties, a paper publication was made on 20.07.2012 in Saakshi Telugu daily newspaper. The petitioners pleaded that as they are illiterates, they have no knowledge of the said publication.

In my opinion, the petitioners cannot plead ignorance of a paper publication, as there is a presumption of knowledge of paper publications. In as much as respondent No.2 has balanced the interests of both the parties by remanding the matter to respondent No.2 for a *de novo* enquiry, I do not find any reason to entertain this Writ Petition.

The Writ Petition is accordingly dismissed.

As a sequel to dismissal of the Writ Petition, WP.MP.No.48364 of 2013 filed by the petitioners for interim relief shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

31st December 2013
RRB