

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH

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WRIT PETITION No. 28287 of 2015

BETWEEN

A.Ramulu

... PETITIONER

AND

The State of A.P.,

Rep. by its Principal Secretary,

Revenue (Stamps & Registration) Department and others

...RESPONDENTS

Date of Order pronounced: 02.09.2015

SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

1. Whether Reporters of Local newspapers Yes/No
may be allowed to see the Judgments?

2. Whether the copies of judgment may be Yes/No
marked to Law Reporters/Journals?

3. Whether his Lordship wish to see the Yes/No

fair copy of the Judgment?

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ORDER:-

Heard.

2. Petitioner had earlier approached this court in W.P.No.26248 of 2009 questioning the memo issued to him by the third respondent therein dated 09.10.2009 requiring him to set apart Ac.0-15 cents out of Ac.0-89 cents granted to him as patta in Merakamudidam Mandal, Vizianagaram District. The said writ petition was allowed quashing the said memo, but however the third respondent therein

i.e., the Tahisldar was directed to give notice to the petitioner and conduct enquiry before taking final decision. The present impugned notice calling the petitioner to attend for enquiry on 09.09.2015 is given for resolution of the dispute relating to formation of road and fixing the boundaries. Petitioner is admittedly notified along with others to attend the enquiry. The said notice is questioned in the present writ petition on the ground that the fourth respondent had concluded that petitioner is an encroacher and therefore no purpose will be served and petitioner would be deprived of Ac.0-15 cents of land.

3. I am unable to see any such conclusions in the impugned notice as it merely states that for formation of road and fixing of boundaries in the presence of police and village elders, petitioner and others are also called upon to appear for resolution of the dispute. It cannot be said that conclusions are already reached against the petitioner.

It is open for the petitioner to appear before the fourth respondent, in terms of the said

notice, submit his documents and his contentions so that the fourth respondent would consider the same and then pass appropriate orders. No interference with the impugned order is therefore called for.

The writ petition is accordingly disposed of. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

September 2, 2015

Note:-

Furnish copy by tomorrow.

{B/o} LMV