

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 24839 of 2011

ORDER:

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Heard learned counsel for the petitioner and learned Government Pleader for Revenue appearing for the respondents. With the consent of the parties, the writ petition is disposed of at the admission stage itself.

The case of the petitioner is that in the year 1987, he was granted house site patta in land admeasuring Ac.0.05 cents in Plot No.556 in Survey No.1119 situated at Tallapaka Village, Rajampeta Mandal, Kadapa District. Since there were some irregularities in settlement of the plots to the villagers of K. Boyanapalli, several complaints were filed before the then Joint Collector, Kadapa, who is said to have conducted an enquiry for regularization of the house site pattas. It is said that pursuant to the enquiry, Plot No.556 which was allotted to the petitioner was transferred to one Bogga Subbalakshamma, and in lieu thereof, the petitioner was allotted plot No.812. It is further stated that the petitioner constructed a shed with asbestos sheets and has been in continuous possession and enjoyment of the same without any obstruction from anybody. While things stood thus, with the connivance of outsiders and political leaders, the 4th respondent is said to have allotted plot No.812 to another person who is not a resident of Rajampet Mandal who is alleged to have threatened to dispossess the petitioner from the plot. Questioning the action of the 4th respondent in allotting Plot No.812 to another person without conducting any enquiry and without giving any notice to the petitioner, the present writ petition is filed.

A counter came to be filed by the 4th respondent denying the averments made in the writ petition. It is stated that the petitioner was

the original allottee of plot No.556 in Survey No.1119 of Thallapaka Revenue Village. In the revised lay out prepared in the year 2008, plot No.556 was relocated as plot No.783 which is in possession of the petitioner. The petitioner wrongfully claims plot No.812 in the revised lay out which was allotted to one Nagam Yella Reddy vide DKT No.847/1421Fasli/2011 dated 05.07.2011 and he is no way concerned with the said plot. It is also stated that the respondents never interfered with the possession of the petitioner over plot No.783.

Though various grounds are raised in the writ petition, the learned counsel for the petitioner restricts his prayer seeking a direction to the respondents not to take any coercive action against the petitioner, without following the due process of law.

Having regard to the circumstances stated above, the Writ Petition is disposed of, directing the respondents not to take any coercive action against the petitioner in respect of the plot allotted to him in Survey No.1119 situated at Tallapaka Village, Rajampeta Mandal, Kadapa District, without following the due process of law. There shall be no order as to costs.

Consequently, miscellaneous petitions pending if any in the writ petition shall stand dismissed.

JUSTICE C. PRAVEEN KUMAR

4th September, 2015
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