

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.40226 OF 2015

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ORDER :

The petitioner claims to be the assignee of the land admeasuring Ac.4-75 cents in R.S.No.469/1 situated at Makkinavarigudem Revenue Village, T.Narasapuram Mandal, West Godavari District, under L.D.No.170/139, dated 17-07-2003 and also claims that he has been granted pattadar passbooks and the revenue record shows his name. However, the petitioner states that the 5th respondent has filed a complaint before the District Collector, which is forwarded to the 3rd respondent and based on that, the 3rd respondent issued notice to the petitioner in ROC.No.385/2015(A), dated 25-10-2015, requiring him to submit objections and appear on 31-10-2015. The petitioner states that he accordingly appeared and filed his objections on 02-11-2015 and requested the 3rd respondent to furnish a copy of the complaint and other relevant documents to enable him to submit detailed objections. While the said request is pending consideration before the 3rd respondent, it is alleged that the 3rd respondent with the help of the 4th respondent is trying to dispossess the petitioner. Hence, the present writ petition is filed.

Heard the learned Government Pleader for Revenue, who states that in pursuance of the notice, the 3rd respondent would conduct appropriate enquiry and submit appropriate report to the competent authority, if any action is intended to be taken against the petitioner.

Obviously, therefore, since the enquiry is pending with the 3rd respondent, the petitioner shall not be dispossessed from the land in question until conclusion of the said enquiry and appropriate orders being passed by the competent authority.

While it is left open for the 3rd respondent to conduct enquiry as contemplated, the further action as to dispossession of the petitioner or

interference with his possession shall not take place by the 3rd respondent, as directed above.

The writ petition is accordingly disposed of. No costs

Miscellaneous petitions, if any, pending in the writ petition shall stand closed.

VILAS V.AFZULPURKAR, J

Date:11-12-2015

Prv

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Prv