

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

W.P.No. 918 of 2011

DATE: 19.02.2015

Between:

V.H.R. Educational Society

.. Petitioner

and

1. The District Collector
2. The Revenue Divisional Officer
3. The Tahsildar

Respondents

□ □

-
-
-
-
-
-
ORDER:-

The sum and substance of the case of the petitioner-V.H.R. Educational Society, represented by its Secretary as set out in the affidavit is that the petitioner purchased the land admeasuring Ac.1.36 cents in Sy.No.136/1 situated in Devarajugattu village, Pedda Araveedu Mandal, Prakasam District from one Venna Indira, W/o.Venna Hanuma Reddy by registered sale deed dated 24.10.2007 and since then the petitioner has been in continuous possession and enjoyment of the property by way of running B.Pharmacy College established by the Society. It is stated that even the petitioner's predecessors were in fact issued pattadar passbooks and title deeds as per the provisions of the A.P. Right in Land and Pattadar Passbook Act, 1971 and as per the registered sale deed dated 24.10.2007, the petitioner's vendor acquired the property in the year 2000-2001. Now, the petitioner's grievance is that respondent Nos.2 and 3, without issuing any notice and without following the due process of law, are threatening to dispossess the petitioner from the land claiming that the land belongs to the government. Hence, the present writ petition is filed seeking appropriate directions.

On 25.01.2011, this Court, while ordering notice before admission, directed the parties to maintain *Status Quo* with regard to the possession of the subject land.

The 3rd respondent – Tahsildar filed counter affidavit stating that in the column “Pattadar” of Resurvey and Resettlement Register, no name is mentioned but only dots (...) are shown. As per the interpretation of the revenue officials, wherever dots are shown in the Resurvey and Resettlement Register against any extent of property, such property is considered to be the Government land, as such, the land claimed by the petitioner as per the entries in the revenue records, belongs to the government and the petitioner does not get any right or title over the land even if they claim to be in possession of the property for longer period. It is further stated that no coercive steps have been taken to dispossess the petitioner from the land nor initiated any adverse proceedings against the petitioner and it is only on an apprehension the petitioner approached this Court and there is no cause of action as on today.

The learned counsel for the petitioner submits that mere showing of dots (...) in the column “pattadar” of Resurvey and Resettlement Register against any piece of land does not statutorily indicate that such particular land belongs to the government.

Heard the learned counsel for both the parties and perused the material placed on record.

Considering the rival submissions and particularly the averment made in the counter affidavit that no proceedings whatsoever have been initiated so far seeking to dispossess the petitioner from the land in question, this Court does not see any merit in this writ petition, and accordingly it is

dismissed. However, the respondents are at liberty to take necessary steps as they may be advised, in accordance with law. No order as to costs.

As a sequel to the dismissal of the writ petition, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

CHALLA KODANDA RAM,

J

19.02.2015

bcj