

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WRIT PETITION No.30614 OF 2015

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ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Revenue.

The petitioner claims to be the owner and possessor of the land admeasuring Ac.2.20 cents in Survey No.147/A1 of N.Mydukuru Revenue Village, Mydukuru Gram Panchayat, Mydukuru Mandal, YSR Kadapa District. Alleging that without following due process of law, the petitioner is being dispossessed by the respondents, the present Writ Petition is filed.

Learned Government Pleader for Revenue, on instructions, submits that as per the report of the Tahsildar, Mydukuru Mandal, YSR Kadapa District, the 4th respondent, the District Collector, YSR Kadapa District, the 2nd respondent, in his proceedings Ref.E5/2372/2013, dated 04.06.2015, directed to fence the Government land and as per R.S.R., the land admeasuring Ac.4.20 cents in Survey No.147/A is shown as Hill Stream in the classification of the revenue record. It is further stated that the names of Sri Kancharla Pedda Pullaiah and Sri Chinna Pullaiah were recorded in the pattadar column. The petitioner's name was recorded in the enjoyer column for an extent of Ac.1.91 cents and remaining Ac.2.29 cents is kept vacant. The entire land is stated to be covered by thrown bushes and no cultivation is taking place. The name of the petitioner was recorded in the adangal. The ownership of the petitioner is denied.

It is evident from the above that the entire land appears to be a

Hill Stream and as such only fencing was proposed and no action as apprehended by the petitioner took place. Since the petitioner's name is shown in the enjoyer column in the adangal, if any action is to be taken by the 4th respondent, he is at liberty to do so after giving notice and also an opportunity to the petitioner to submit his explanation.

The Writ Petition is accordingly disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

VILAS V.AFZULPURKAR, J

27.10.2015

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