

THE HONOURABLE MR JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.26145 of 2015

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ORDER

Heard learned counsel for the petitioner and learned Government Pleader for Revenue appearing for respondents 1 to 4.

2. Petitioner claims that he was assigned the land to an extent of Ac.3.00 in Sy.No.124/11 situated at Sooramala Village, KVB Puram Mandal, Chittoor District, on 03.01.1989 and claims to be in possession and enjoyment of the same. He also states that he was having pattadar passbooks and revenue entries were also in his favour. Alleging that at the instance of some local leaders, the 3rd and 4th respondents are pressurizing the petitioner to vacate the land without following due process of law. Hence, the present writ petition is filed.

3. Learned Government Pleader for Revenue has received instructions for both the respondents. It is stated that the petitioner was given DKT patta, but alleges that since the date of grant, he did not enter into the land and did not make any efforts to cultivate the same. It is also stated that the petitioner is stated to be working in postal department at Sooramala Village of KVB Puram Mandal, however, no action as such is initiated against him by issuing any notice or cancellation by both the respondents as on today and the writ petition is filed merely on apprehension.

4. It is evident from the above that the eviction of the petitioner

as apprehended by him in the writ petition is not under contemplation at present as 4th respondent states that no action is initiated against the petitioner so far.

5. In view of that, the Writ Petition is disposed of, directing the 4th respondent not to take any coercive action and not to dispossess the petitioner of his assigned land, except after issuing appropriate notice in accordance with law and giving him an opportunity of submitting an explanation and then, take appropriate action in accordance with law.

6. Accordingly, the Writ Petition is 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

7th September, 2015
sj