

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD**  
**FOR THE STATE OF TELANGANA AND THE STATE OF**  
**ANDHRA PRADESH**

**WRIT PETITION No. 27850 of 2011**

Between:

K. Subbalakshumma

.. Petitioner

and

The District Collector, Kadapa, YSR District  
and another

**.. Respondents**

DATE OF JUDGMENT PRONOUNCED:10.07.2015

**SUBMITTED FOR APPROVAL:**

-

**THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR**

- |                                                                                  |        |
|----------------------------------------------------------------------------------|--------|
| 1. Whether Reporters of Local newspapers<br>may be allowed to see the Judgments? | Yes/No |
| 2. Whether the copies of judgment may be<br>marked to Law Reporters/Journals?    | Yes/No |
| 3. Whether Their Ladyship/Lordship wish to<br>see the fair copy of the Judgment? | Yes/No |

**HON'BLE SRI JUSTICE C. PRAVEEN KUMAR**

**WRIT PETITION No. 27850 of 2011**

**ORDER:**

-  
Heard learned counsel for the petitioner and learned Government Pleader for Revenue appearing for the respondents.

The present writ petition came to be filed seeking issuance of a writ of mandamus declaring the action of the 2<sup>nd</sup> respondent in attempting to assign the land of the petitioner to an extent of Ac.0.50 cents in Survey No.119/10 of Gopavaram Village and Mandal, Y.S.R. District in favour of third parties without issuing any notice, as illegal and arbitrary.

The case of the petitioner is that she purchased land admeasuring Ac.0.50 cents in Survey No.119/10 of Gopavaram Village & Mandal, Y.S.R. District through a registered sale deed dated 17.03.1993 from its rightful owner by name Undala Narsaiah and since then she is in possession and enjoyment of the same. It is stated that the petitioner is a poor widow and is eking out her livelihood by doing cultivation. While so, the 2<sup>nd</sup> respondent is said to have attempted to assign the land of the petitioner in favour of third parties in the month of March, 2011 without issuing any notice to the petitioner. Then, on 14.03.2011 the petitioner made a representation to the 1<sup>st</sup> respondent through Prajavani, as the 2<sup>nd</sup> respondent shown her land under POT Act. The 1<sup>st</sup> respondent in turn endorsed the

same to the 2<sup>nd</sup> respondent. In spite of the same, the 2<sup>nd</sup> respondent is trying to assign the land of the petitioner to third parties. Questioning the action of the 2<sup>nd</sup> respondent, the present writ petition came to be filed.

The 2<sup>nd</sup> respondent filed a counter stating that the land was resumed to Government by following the due process of law and the same is utilized for public purpose i.e., for house plots to eligible weaker sections and also for construction of APSRTC bus complex. It is stated that pattas were also given to the beneficiaries on 16.06.2006. It is stated that as the process of resumption of the land took place in the year 2006 itself and as the process of assignment took place long prior to filing of the present writ petition, the question of the 2<sup>nd</sup> respondent making an attempt to assign the land is absolutely false.

In view of the above facts, I see no merit in the Writ Petition and the same is accordingly dismissed. However, as it is the submission of the learned counsel for the petitioner that the petitioner is a landless poor widow eking out her livelihood by doing cultivation of the land, the 2<sup>nd</sup> respondent shall take all possible steps to allot some other land in favour of the petitioner if she is otherwise eligible for the same. It is needless to mention that the petitioner is at liberty to make a fresh representation before the concerned seeking assignment of land in her favour, in which event, the same shall be disposed of, in accordance with law. There shall be no order as to costs.

Consequently, miscellaneous petitions pending if any in

the writ petition shall stand closed.

---

**JUSTICE C. PRAVEEN KUMAR**

10<sup>th</sup> July, 2015  
cbs

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 27850 of 2011

10<sup>th</sup> July, 2015

cbs