

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.35454 OF 2014

O R D E R:

This Writ Petition is filed seeking a direction to the respondents not to interfere with the possession of the petitioner in respect of land over an extent of Ac.1-00 cents situated in Sy.No.699/A at Nalgonda, Nalgonda District.

The petitioner is the son of late Boya Ramaswamy, who is earlier writ petitioner before this Court in W.P.No.4757 of 1988 and appellant in Writ Appeal No.762 of 1988. He had claimed grant of patta in Sy.No.699 admeasuring Ac.3-00 cents on the ground that he was in possession and cultivating the land for more than 35 years and was eligible for assigning of the land under the landless poor category. Thereafter, on 31.10.1995 patta was granted in favour of the petitioner's father assigning an extent of Ac.1-00 cents in Sy.No.699 of Nalgonda. After the demise of his father, the petitioner is cultivating the land and he is entitled to cultivate the land as a successor of late Boya Ramaswamy. Revenue authorities are threatening to dispossess him without following due process of law.

The matter came up for admission on 21.11.2014 and the case was adjourned at the request of the learned Assistant Government Pleader for Revenue (Telangana) for getting instructions. Thereafter, matter once again was listed on 09.12.2014 and *status quo* order was also granted. Even today there is no counter filed before this Court and however on instructions learned Assistant Government Pleader for Revenue (Telangana) submits that there is an enquiry that is being

contemplated with regard to violation of patta conditions. He conceals the fact that as on today there is no notice issued and no orders passed. In that view of the matter, I consider it appropriate to issue a direction to the respondents not to interfere with the peaceful possession and enjoyment of the petitioner over the land an extent of Ac.1-00 cents in Sy.No.699/A of Nalgonda, Nalgonda District and no coercive steps, including dispossession, shall be taken without following due process of law.

Accordingly, the Writ Petition is disposed of. There shall be no order as to costs. In sequel miscellaneous petitions pending, if any, shall also stand closed.

CHALLA KODANDA RAM, J

Dated:20.01.2015.

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