

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 12734 of 2015

ORDER:

The allegation of the petitioner is that the respondent authorities are interfering with the peaceful possession and enjoyment of the house property in an extent of Ac.0-03 cents situated in Sy.No.62/5 of Sivadi Village fields, Pedda Panjani Mandal, Chittoor District and they have threatened to demolish the small house, which has been constructed in the said place. The material placed on record reveals that the petitioner came to be allotted house site patta to an extent of Ac.0-02 cents situated in Sy.No.62/5 of Sivadi Village, vide proceedings in VHS1601-2007, dated 26.02.2007 of the respondent No.4-Tahsildar, Pedda Panjani Mandal, with boundaries North:Vacant site, South:Vacant Site, East:Rowthu Cheruvu and West: Road. To that extent there is no dispute is raised. However, the petitioner is alleged to have in occupation of another Ac.0-01 cent of land adjacent to the petitioner's land and she has been utilizing the same for cultivation of Malbury cocoons.

Heard the learned counsel for the petitioner. It is not disputed by the learned Assistant Government Pleader for Revenue (AP) that there was any written notice or order against the petitioner and further the petitioner also is not in occupation of any vast extent of land. What all has been alleged is Ac.0-01 cent of land adjacent to the petitioner is being used for the purpose of cultivation of Malbury cocoons. The site is not in any town or city and it is in small remote village in Chittoor District. In that view of the matter, if the allegations of the petitioner are true and there is no justification for the authorities to interfere into the peaceful possession and enjoyment of over a small extent of land. In the facts of the present case, interest of justice would be served if a direction is given to the respondents not to interfere with the petitioner's occupation and enjoyment of the house site over an extent of Ac.0-02 cents granted in her favour by way of a patta dated 26.02.2007 and an additional extent of Ac.0-01 cent which is in occupation of the petitioner, and the respondent authorities may consider the feasibility of assigning the land in occupation of the petitioner i.e., Ac.0-01 cent of land situated in Sy.No.62/5 of Sivadi Village. Accordingly, respondents are directed to consider the application of the petitioner for grant and regularization of Ac.0-01 cent of land in his occupation.

Accordingly, this Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous Petitions pending, if any, shall stand closed.

CHALLA KODANDA RAM, J

Date:28.04.2015.

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