

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WRIT PETITION No.42159 of 2015

ORDER:

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

The petitioner is aggrieved by the proceedings of the Sub-Collector, Madanapalle, Chittoor District, the 2nd respondent, in ROC.No.B4/4437/2014, dated 18.06.2014, directing the Tahsildar, Kuppam Mandal, Chittoor District, the 3rd respondent, to consider grant of police protection to the 4th respondent with regard to the lands admeasuring Acs.2.98 cents and Acs.2.16 cents in Survey Nos.193/A and 576/A of Kollabylu Revenue Village, Madanapalle Mandal, Chittoor District, claimed by him. Basing on the said proceedings, the 3rd respondent is stated to have conducted enquiry and sent a report in Roc.No.DT/697/2015, dated 14.09.2015, setting out the history of the previous litigation and requested the 2nd respondent to take further action, in view of the prolonged legal battle between the parties and the issue now remains pending with the 2nd respondent. Therefore, the petitioner questions the proceedings, dated 18.06.2014, of the 2nd respondent and also claims that the 2nd respondent ought to have given him an opportunity of hearing before taking appropriate decision in the matter.

So far as the proceedings of the 2nd respondent, dated 18.06.2014, are concerned, the same were passed 1½ years back and in view of the subsequent report of the 3rd respondent, referred to above, the issue no more survives. Hence, I am not inclined to interfere with the said proceedings.

However, to the extent of the grievance of the petitioner that

when the issue was referred by the 3rd respondent to the 2nd respondent, as per the report of the 3rd respondent, referred to above, the 2nd respondent shall take appropriate decision after notice to all the parties.

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

29.12.2015

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