

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.551 OF 2015

O R D E R:

The grievance of the petitioner is that the respondent authorities, in particular respondent No.4-Tahasildar, Tirupati Rural Mandal, is threatening to dispossess the petitioner from the land to an extent of Ac.0-02 cents in Plot No.68 in Sy.No.246 of Vedantapuram Village, Tirupati Rural Mandal, Chittoor District and also trying to alienate the same to the third party without due process of law as contemplated under the Land Acquisition Act.

The matter came up for admission on 27.01.2015 and once again the matter is listed today.

The learned Assistant Government Pleader for Revenue (AP), on instructions submits that the petitioner is not in possession of the land. He further contends that there is a violation of patta conditions.

After considering the respective submissions it may be noted, it is the contention of the respondent authorities that any notice have been given to the petitioner proposing to cancel the patta granted in his favour. The allegation that the petitioner is not in possession is totally un-understandable, inasmuch as it is a vacant site as on today and naturally the possession will have to be presumed as long as the patta granted in his favour is not cancelled. In that view of the matter, the petitioner shall not be disturbed in any manner as long as patta granted in his favour is subsisting.

Accordingly, the Writ Petition is allowed at the admission stage. However, it is made clear that the respondent authorities are at liberty to take appropriate action, if so advised in accordance with law. There shall be no order as to costs. Miscellaneous petitions pending, if any, shall stand closed.

CHALLA KODANDA RAM, J

Dated:10.02.2015.

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