THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI SENGUPTA

AND

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT APPEAL No. 307 of 2015

DATE: 22.04.2015

Between:

Reshma,
Anantapur and others

… Appellants

And

The State of A.P. Rep. by its
Principal Secretary, Revenue Department,
Secretariat, Hyderabad and others

… Respondents

This Court made the following:

THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI SENGUPTA
AND
THE HON'BLE SRI JUSTICE SANJAY KUMAR

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Judgment: (per the Hon'ble The Chief Justice Sri Kalyan Jyoti Sengupta)

The learned trial Judge has disposed of the writ petition, wherein the following relief was sought:

> "to issue appropriate writ or order or direction more particularly one in the nature of writ of mandamus declaring the action of the 3rd respondent in interfering with the petitioners peaceful possession and preventing the petitioners from construction of houses in the allotted Plots situated in Sy.No.133-4 of Kurugunta Village, Anantapur Mandal of Anantapur District without issuing any notice and without passing any orders is illegal and arbitrary"

The learned trial Judge has recorded that pattas granted in favour of the writ petitioners were cancelled after issuance of notice and after following due process and thereafter, resumption orders were passed on 29.12.2014. The learned trial Judge has also recorded that there is remedy against the orders of cancellation.

Learned counsel for the appellants submits that no copies of orders of cancellation and resumption were supplied to the appellants.

Issue of non-service of these orders is not raised in the writ petition. It is raised before us for the first time. The order of resumption is not challenged in this matter. It is impossible to

grant any relief in writ jurisdiction at present.

Under the circumstances, we direct the Government to supply the copies of cancellation orders and resumption orders said to have been passed on 29.12.2014 to the appellants, within a period of fortnight from the date of communication of this order. Thereafter, it is open for the appellants to take steps in accordance with law as may be advised.

The Writ Appeal is accordingly disposed of.

Pending miscellaneous applications, if any, shall stand closed. No order as to costs.

K.J. SENGUPTA, CJ

SANJAY KUMAR, J

Date: 22.04.2015
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