

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.32841 of 2015

-

ORDER:

Heard.

The petitioner states that the land admeasuring Ac.5-20 cents in Sy.No.723/2 situated at Surappakasam Village, Renigunta Mandal, Chittoor District, is a private zeriothi land and her husband's name was recorded in the revenue records as pattadar and after his demise, her name is recorded as pattadar and possessor of the said land. However, on finding the entries in the computerized revenue record that the said land is recorded as 'Dharakhastu land', the petitioner made a representation to the 3rd respondent on 22-01-2015. Pursuant thereto, the 3rd respondent vide Proceedings No.G/217/2015, dated 30-03-2015 directed the 4th respondent to conduct a detailed enquiry, verify all the back records and submit a detailed report for taking further action.

The petitioner states that though no enquiry is conducted by the 4th respondent, in pursuance of the said order of the 3rd respondent, however, the 4th respondent has issued the impugned notice alleging that on inspection of the land, it was noticed that the land in question is kept vacant and therefore, the petitioner was asked to show cause as to why 'Dharakhastu land' assigned in her favour should not be cancelled.

The said notice is questioned on the ground that without conducting any enquiry, as directed by the 3rd respondent, the 4th respondent cannot claim that the land in question is 'Dharakhastu land' or private land of the petitioner.

In view of the fact that the 3rd respondent has already directed the 4th respondent to conduct appropriate enquiry, in my view, the interest of justice would be served by directing the petitioner to submit a detailed explanation to the show cause notice and further directing the 4th respondent to conduct detailed enquiry, as

directed by the 3rd respondent and also take into consideration the explanation submitted by the petitioner and then take appropriate decision in accordance with law. Till such decision is taken by the 4th respondent, the petitioner shall not be dispossessed from the land in question.

Accordingly, the writ petition is disposed of. No order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

VILAS V.AFZULPURKAR, J

Date: 07-10-2015

Prv

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.32841 of 2015

07-10-2015

Prv