

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No.16864 of 2012

ORDER:

Heard the counsel for the petitioner and the counsel for the respondents. With the consent of both the parties, the writ petition is disposed of.

Questioning the action of the respondents in trying to dispossess the petitioner from the lands admeasuring Ac.02-34 cents in Sy.No.454-1 and Ac.02-30 cents in Sy.No.454-2 total Ac.04-64 cents situated at Mahadevapuram Village, Kandukuru Mandal, Prakasam District without following due process of law, the present writ petition is filed.

The facts in issue are as under:

Late A.K.Rama Rao, the father of petitioner was granted D-Form patta on 30-04-1961 for the agricultural dry lands admeasuring Ac.02-34 cents in Sy.No.454-1 and Ac.02-30 cents in Sy.No.454-2 situated at Mahadevapuram Village, Kandukuru Mandal, Prakasam District. The father of the petitioner reclaimed the subject lands in the year 1961 and cultivated dry crops such as Jawar etc., After demise of her father, the petitioner succeeded to the subject lands. The petitioner was granted pattadar passbooks and title deeds on 14-09-1996, apart from that her name was also mutated in the revenue records. The petitioner also claims to have obtained loans by mortgaging the property in the year 1965 and repaid the same on 10-01-1984. It is further stated that some of the villagers started interfering with her possession over subject lands claiming that they are likely to be given the house site pattas in her lands. The petitioner made representation on 26-04-2012 to the Public Information Officer, District Collector complaining about alleged acts. While things stood thus on 02-06-2012, the Sub-staff of the 3rd respondent/Tahsildar and the some of the villagers started trying to encroach on to the land of the petitioner on the ground that

they are the allottees of house sites. When the petitioner asked them to furnish the allotment copies, they brushed aside the same and tried to dispossess her from the subject lands. It is said that because of the timely intervention of the neighbouring cultivators, the sub-staff of the 3rd respondent left the place. The action of the staff of the 3rd respondent and the villagers lead to filing of writ petition.

On 08-06-2012, this Court granted status quo as on that day with regard to possession of the subject land.

No counter is filed till date.

Learned counsel for the petitioner submits that the petitioner is still in possession of the property and that the petitioner may be dispossessed without due process of law.

The learned Government Pleader for Revenue submits the authorities will not take any steps contrary to the provisions of law.

Without going into the merits of the case and having regard to the circumstances stated above, this writ petition is disposed of by directing the 3rd respondent not to dispossess the petitioner without following due process of law in respect of the lands referred above.

Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

C.PRAVEEN KUMAR,J

09-09-2015

Nvl