

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION NO.11753 of 2015

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Between:

Achanta Ram Mohan Rao

PETITIONER

AND

1. The State of Andhra Pradesh, rep. by its Principal Secretary, Department of Revenue, Secretariat, Hyderabad, and others.

RESPONDENTS

ORDER:

The petitioner claims to be the owner and possessor of Ac.1.15 cents of land in Sy.No.110 situated at Timmapuram, Dwaraka Tirumala Mandal, West Godavari District, having purchased the same through registered sale deed vide document No.464, dated 19.03.1988. It is his case that his name was also mutated in the revenue records and has been issued pattadar passbook and title deed in his favour. It is stated that earlier when there was a dispute with regard to boundary with

the adjacent village tank, the matter has been settled by the Settlement Officer vide Sr.No.11(A) 4/2002 (f)-1, dated 27.11.2004. While so, the officials of the 2nd respondent came to his land on 15.04.2015 and took some wrong measurements including a part of land belonging to the petitioner where there is standing crop of sugar cane, without any notice and without any information stating that they are implementing the directions of the 2nd respondent for 'Neeru-Chettu Scheme'. Hence the petitioner approached this Court by way of this writ petition.

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Revenue (A.P.) for respondents.

Prima facie, the documents placed on record reveal that the petitioner is the owner and possessor an extent of Ac.1.15 cents of land in Sy.No.110, of Timmapuram Village, Dwaraka Tirumala Mandal West Godavari District, by virtue of sale deed dated 19.03.1988 and was issued pattadar pass book and titled deeds in his favour.

In that view of the matter, the writ petition is disposed of directing the respondent-authorities not to dispossess the petitioner from the land in question without following due process of law. However, it is made clear that if the Revenue authorities have material showing that the petitioner had encroached the tank bed land, they are at liberty to issue necessary proceedings including conducting of survey, with prior notice to the petitioner and thereafter resume the land from the petitioner by passing necessary orders. No order as to costs. As a sequel, miscellaneous petitions, if any, shall stand closed.

CHALLA KODANDA RAM, J.

27th April, 2015

Js.