

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 31586 of 2011

ORDER:

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Heard learned counsel for the petitioner and learned Government Pleader for revenue appearing for the respondents. With the consent of the parties, the writ petition is disposed of at the admission stage itself.

The petitioner claims to be the owner and possessor of agricultural land admeasuring Ac.0.61 cents in Survey No.431/7 situated at Bogapuram Village and Mandal, Vizianagaram District. It is stated that that the petitioner being a landless poor lady was assigned the said land by the 4th respondent vide File No.665/06/A dated 06.06.2008, and since then, she is in possession and enjoyment of the same. The 4th respondent is said to have issued pattadar passbook and land ownership right certificate in favour of the petitioner vide patta No.1172. While things stood thus, it is alleged that the respondent officials started interfering with the possession of the petitioner and also threatening to dispossess her, without following the due process of law. Hence, the present writ petition.

A counter came to be filed by the 4th respondent denying the averments in the writ petition. It is stated that since the petitioner got the patta fraudulently, proposals have been submitted to the Competent Authority-cum-Revenue Divisional Officer, Vizianagaram, for cancellation of the same vide Rc.No.373/2011A dated 19.11.2011.

From the above, it is clear that no orders have been passed till date cancelling the patta granted in favour of the petitioner. The learned counsel for the petitioner submits that if any order is to be passed by the Revenue Divisional Officer, Vizianagaram, the same may be done after hearing the petitioner and a copy of such order may

also be communicated to the petitioner, at the earliest.

Having regard to the circumstances stated above and without going into the merits of the case, the Writ Petition is disposed of, directing the Revenue Divisional Officer, Vizianagaram, to pass appropriate orders on the proposals submitted by the 4th respondent vide Rc.No.373/2011A dated 19.11.2011 for cancellation of the patta granted in favour of the petitioner in respect of agricultural land admeasuring Ac.0.61 cents in Survey No.431/7 situated at Bogapuram Village and Mandal, Vizianagaram District, in accordance with law, after giving an opportunity of hearing to the petitioner, if the same is still pending consideration, within a period of twelve (12) weeks from the date of receipt of a copy of the order. There shall be no order as to costs.

Consequently, miscellaneous petitions if any pending in the writ petition shall stand dismissed.

JUSTICE C. PRAVEEN KUMAR

21st September, 2015
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