

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION NO.4410 of 2015

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Between:

Maddina Narasimhulu

PETITIONERS

AND

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

RESPONDENTS

ORDER:

This writ petition is filed seeking the following relief:

“.....to issue an appropriate writ, order or direction, more particularly one in the nature of Writ of Mandamus and declare the action of the respondents interfering the peaceful possession of petitioner's scheduled land as illegal, arbitrary, unreasonable and violative of Article 14 besides principles of Natural Justice under Constitution of India, consequently direct the 4th respondent not to interfere with the peaceful enjoyment of the Agricultural Land in an extent of Ac. 5-00 cents in Sy.No.737 situated at Chiyyavaram Village, Railway Koduru Mandal, YSR Kadapa District...”

The case of the petitioner is that as he was a landless poor person, he was issued D.Form patta under D.K.T.128/93 F admeasuring Ac.5.00 in Sy.No.737 situated in Chiyyavaram Village, Hamlet of Kommapalli, Railway Koduru Mandal, YSR Kadapa District, in the year 1983, and ever since then he was in possession and enjoyment of the said property. This writ petition is filed alleging interference of the revenue authorities in respect of his land.

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

Considering the allegation of interference by the respondent-revenue officials without following due process of law, the learned Assistant Government Pleader for Revenue was put on notice. After two adjournments on 25.02.2015 and 11.03.2015, today the learned Assistant Government Pleader placed a copy of instructions dated 16.03.2015 received by him from the Tahsildar, Railway Kodur Mandal, on record. As per the said written instructions the assignment in favour of the petitioner was cancelled for violation of the conditions, and as such, orders were passed on 15.07.2007 resuming the land to

the Government.

In the light of the said instructions, nothing survives for adjudication in the writ petition. However, learned counsel for the petitioner seeks to give an opportunity to the petitioner to avail alternative remedy of appeal available to him under law.

Accordingly the writ petition is disposed of granting liberty to the petitioner to avail the alternative remedy available to him under law against the order dated 15.07.2007. No costs. As a sequel, miscellaneous petitions, if any, shall stand closed.

CHALLA KODANDA RAM, J.

18th March, 2015
Js.