

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.25374 OF 2012

ORDER:

The case of the petitioner is that she was assigned land to an extent of Ac.1.66 cents in survey No.903 of Pillutla Village, Guntur District; that the petitioner was issued D Form patta with DK No.297 in the year 1996; and that since the date of granting patta the petitioner was in possession and enjoyment of the said land. While so, the 2nd respondent along with his subordinates came to the subject property on 04.08.2012 and 09.08.2012 and directed the petitioner to vacate the same. Aggrieved by the same present writ petition is filed.

The 2nd respondent filed counter stating that the name of the petitioner was not found in the D.K.Register pertaining to the year 1996; that the petitioner was not allotted any land in the year 1996 in survey No.903 and that the petitioner was not in occupation of the subject land. It is also stated that in the year 2012 in the said survey number house sites were issued to Kothaganeshunipadu villagers and that they are in possession of the said sites by constructing compound walls. Finally, he sought for dismissal of the writ petition.

Learned counsel for petitioner submits that though the petitioner was assigned the subject land and was in possession of the same for the last 20 years without issuing any notice, the respondents are trying to evict the petitioner.

On the other hand Learned Assistant Government Pleader for Revenue submits that no patta was granted to the petitioner in survey No.903 and that in fact, in Survey No.903, house sites were allotted to the Kothaganeshunipadu Villagers and they are in possession.

In this case grant of D.K.Patta to the petitioner is disputed by the respondents in the counter. The copy of the D.K.Patta which was filed along with the writ petition also does not contain any date showing the date of assignment to the petitioner. Though, according to the petitioner the subject land is an agricultural land, no Pattadar Pass Books and Title Deeds were filed by the petitioner in respect of the subject land. The year of grant of Patta is disputed by the respondents and the same is not controverted by the petitioner. More so, except Adangal, no document is produced by the petitioner to show that she was in possession of the subject land.

In view of the above facts and circumstances, I do not see any merits in the writ petition. Accordingly, the writ petition is dismissed. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

19.10.2016
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