

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.36506 OF 2016

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for respondents. With consent of the counsel appearing for both sides, the present writ petition is disposed of at the admission stage.

2. The present writ petition came to be filed with the following prayer:

“to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the notice in Roc/A&I/2/2016 dated 06-10-2016 on the file of the 2nd Respondent as illegal, arbitrary and in violation of principles of natural justice.”

3. The petitioner, who is a landless poor person, was assigned land admeasuring Ac.2.35 cents in Sy.No.159-5 of Pedda Bangarunatham Village, Kuppam Mandal, Chittoor District. It is said that the petitioner is in possession and enjoyment of the land since 30 years. In the year, 1998 D-Form Patta was granted by the Mandal Revenue Officer. Pattadar Pass Book and E-Pattadar Pass Book with Patta No.393 were also issued in his favour showing his name in Adangal and 1B Register. While so, the impugned notice came to be issued directing the petitioner to appear before the 2nd respondent-Tahsildar with all original documents.

4. Learned counsel for the petitioner mainly submits that impugned notice clearly indicates that the name of the petitioner was recorded in the revenue records, but no reasons are mentioned as to why the petitioner has to appear before the Tahsildar Office with all original documents.

5. Learned Government Pleader for Revenue would submit that the impugned notice is bereft of reasons, hence the respondent authorities may be permitted to issue a fresh notice mentioning reason for the appearance of the petitioner.

6. Recording the statement made by the learned Government Pleader for Revenue, the Writ Petition is allowed setting aside the notice dated 06.10.2016 issued by the 2nd respondent-Tahsildar in Roc/A&I/2/2016 with a liberty to issue a fresh notice, giving reasons as to why the petitioner shall attend their office with all original records, in accordance with law.

Consequently, Miscellaneous Petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

JUSTICE C. PRAVEEN KUMAR

Date:01.11.2016

Note: Furnish C.C. within two (02) days

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