

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.5831 of 2006

ORDER:

One Sappidipalli Venkatappa filed the instant writ petition challenging the notice dated 15.03.2006 issued by first respondent.

2. Through the notice impugned in the writ petition, the first respondent has called upon the petitioner to show cause why the assignment made shall not be cancelled and land resumed for public purpose.

3. Mr. Jai Kumar appearing for Mr. P. Srinivasulu submits that the petitioner died and time may be given to take steps to bring the legal representatives on record.

4. Learned Government Pleader for Assignment submits that the notice was issued to the deceased petitioner. If at all the first respondent intends to take action vis-à-vis the land in an extent of Ac.3.08 cents in Sy.No.441/2D and Ac.0.90 cents in Sy.No.441/1D, he can do so only after issuing notice to the legal representatives of deceased petitioner and according to him, there is no need to bring the legal representatives on record and continue the challenge to notice issued against dead person. Learned Government Pleader further submits that since assignment in favour of petitioner is admitted, the respondents will not interfere with the possession of petitioner or the legal representatives of the deceased petitioner except in accordance with law.

The statement is placed on record. The writ petition is closed. Since the writ petition is closed by observing that the petitioner is no more and the respondents intend to proceed in accordance with law against the legal representatives, the request of petitioners in WPMP.No.27057 of 2016 to come on record is found as unnecessary and accordingly rejected. As a sequel, the miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

September 17, 2016
DSK

S. V. BHATT, J

