

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION NO.5929 OF 2008

O R D E R :

The case of the petitioner is that she is the owner of the land admeasuring Ac.2.52 cents in R.S.No.349/2 of Velagaleru Village, G.Kondur Mandal, Krishna District having acquired the same under a WILL dated 14.08.1987 executed by her husband. While so, when disputes arose regarding genuiness of the WILL, she filed O.S.No.116/1987 on the file of Senior Civil Judge, Nuzvid, Krishna District and the said suit was decreed on 27.04.1993. Against the same, the defendants therein filed A.S.No.1350/93 and the same was dismissed vide order dated 16.04.1994. The Leave Petition filed by the defendants vide No.2957/95 was also dismissed by the Supreme Court. Thereafter, petitioner filed E.P.No.21/94 for taking delivery of possession of the said land through Court and she has succeeded in the same and property was delivered to her. Subsequently, the petitioner was issued pattadar pass book in the year 1997 and she has been paying the land revenue and water cess for the subject land from the year 1997 to 2006 without interruption. But from the year 2007, the 3rd respondent refused to receive the land revenue and water cess from the petitioner at the instance of the defendants in O.S.No.116/87. In spite of several demands made by the petitioner personally and money order sent through post and through her G.P.A, the respondents refused to receive the land revenue and water cess. Aggrieved by the same, the present writ petition is filed.

Counter is filed by the respondent stating that if the petitioner or her agent or any body representing the petitioner approaches the concerned authority for payment of water tax and land revenue in respect of the land owned by her, the same will be received and due receipt will be given to the petitioner or her agent.

Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Revenue.

In the counter it is clearly stated that when the amount is paid in person or through agent, the respondent authorities will receive the same and receipts will be issued.

This Court passed interim order on 07.08.2009 directing the respondents 1 and 2 to receive the land revenue and water cess in respect of the land belonging to the petitioner and also to issue land revenue receipts for the year 2006-2007, 2007-2008 and for subsequent period. Even in the counter it is stated that the receipts of land revenue and water cess will be issued when the amount is paid in person or through agent.

In view of the above, nothing survives for adjudication. Accordingly, the writ petition is disposed of in terms of the interim order passed by this Court on 07.08.2009. No costs.

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

A.RAJASHEKER REDDY, J

16.11.2016
dv