

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.22759 OF 2008

O R D E R :

The case of the petitioner is that she is the owner and possessor of the agricultural land to an extent of Ac.13-26 guntas in Sy.No.29/A, buranpura Village, Bela Mandal, Adilabad District having inherited from her husband and father in law and the said land was purchased through an unregistered sale deed. While so, the Special Deputy Collector, Adilabad suo moto initiated the proceedings under A.P.S.A.L.T.R and later the same were dropped vide proceedings dated 12.05.1998. Thereupon, petitioner made a representation on 18.02.2000 before the Mandal Revenue Officer for grant of pattadar pass book and title deed and the same is pending. Meanwhile, people belonging to the Communist party encroached the petitioner's land and erected temporary huts. Complaining about the same, the petitioner made a representation on 23.06.2008 to the 1st respondent who intturn endorsed the representation of the petitioner directing the 2nd respondent to take necessary action and respondent No.3 also endorsed on the representation of the petitioner. But no action has been taken so far. Aggrieved by the same, the present writ petition is filed.

Counter affidavit is filed by the 2nd respondent admitting that the Special Deputy Collector dropped the proceedings in Case No.TWA2/779/1998 initiated against the petitioner and against the said order of the Special Deputy Collector, the pattadar, Nagu Bail filed an appeal before the Project Officer, ITDA and the same is pending. It is also stated that it is the

responsibility of the petitioner to protect her land and that the respondents have no jurisdiction to resolve the disputes relating to private properties. Further it is stated that the petitioner is at liberty to approach the Civil Court to resolve her issue and sought for dismissal of the writ petition.

It is to be seen that even according to the petitioner, the land belonging to her is a private land and the same is admitted in the counter. If the 3rd parties are trying to encroach the petitioner's land, petitioner has a remedy of approaching the Civil Court but not the revenue authorities who have no jurisdiction to resolve the issues relating to the private lands.

In view of the same, no relief can be granted in the writ petition. Accordingly, the writ petition is dismissed. However, it is open for the petitioner to approach Civil Court in respect of her grievance. No costs.

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

A.RAJASHEKER REDDY, J

23.11.2016

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