

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 35731 of 2016

ORDER:

1) Heard learned counsel for the petitioner, Government Pleader for Revenue and Government Pleader for Home. With the consent of all the parties, the writ petition is heard at the admission stage itself.

2) The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of respondent No.2 in issuing impugned notice vide proceedings Rc.No.595/ 2016/ A, dated 09.09.2016 as illegal, arbitrary and violative of Articles 14, 21 and 300 (A) of the Constitution of India; and consequently declare the action of respondent No.3 in interfering in civil matter and summoning the petitioner to the police station as illegal and arbitrary.

3) It is the case of the petitioner that the husband of the petitioner gifted the landed property vide document No.3930 of 2014 dated 11.08.2014 and her name was mutated in the panchayat records. The Village Revenue Officer also issued a certificate confirming her ownership and possession over the property, as such the question of examining the title of the land by the Tahsildar, Thulluru again is illegal. It is also her case that though the petitioner appeared before the Tahsildar on 20.09.2016 but the authorities are postponing the same on one pretext or the other.

4) Learned Government Pleader for Revenue on instructions states that on 22.10.2016 the Tahsildar, Thulluru, verified the record and found that classification of the land is patta land and the land situated in Sy.No.87/ A to an extent of Ac.1.10 cents is within the limits of the village. Out of that Ac.0.25 cents was registered in favour of Thulluru Chenetha Parisramika Sahakara Utpatti Vikraya Sangam Limited vide document No.2303/ 1976 and the remaining extent Ac.0.85 cents is in possession of Mekala Venkata Subba Rao. The instructions placed before the Court further show that said Mekala Venkata Subba Rao sold some of the land to Nekkallu villagers and remaining land is distributed to his sons Mekala Ranjit Kumar and Mekala Ravi Kumar (husband of the petitioner). Land to an extent of Ac.0.19 cents was gifted to the petitioner by her husband vide document No.3930 of 2014. The Tahsildar, Tulluru also issued endorsement letter to villagers on 18.10.2016 stating that the land is in possession of the husband of the petitioner and no action is taken by the Revenue Department. In view of the endorsement made by the Tahsildar, no further orders are necessary in this writ petition.

5) Accordingly, the Writ Petition is closed. There shall be no order as to costs. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE C. PRAVEEN KUMAR

24.10.2016
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