

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.No.29033 of 2012

ORDER:

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This writ petition is filed questioning the proceedings C.C.No.1134/NDI/75, dated 25-04-2011 of the 1st respondent, whereunder, the 1st respondent ordered retransfer of surrendered lands in Sy.Nos.496/3, 499 and Sy.No.431 of Paramatoor Village of Bandi Atmakur Mandal, Kurnool District under Andhra Pradesh Land Reforms (Ceiling on Agricultural Holdings) Act, 1973 (for short "the Act") when the declarant was found no excess land and the mistake in the calculation of holdings of the declarant was corrected subsequently under Rule 16(5) (b) of Andhra Pradesh Land Reforms (Ceiling on Agricultural Holdings) Rules, 1974. The same is being challenged by the petitioner on the ground that she was granted patta.

Heard both sides.

Perusal of the impugned order shows that a mistake occurred while calculation of the standard holdings of the declarant and as there was mistake in the calculation of Standard Holdings under the Act, the same was rectified. Hence, the declarant is liable to get back his surrendered lands. In pursuance of the same, the impugned order is passed for restoring the land of the original declarant and as such, it cannot be said that the impugned order is illegal. Any grant of patta to the petitioner shall always be subject to finality of the proceedings under the Act. When a bonafidee mistake is crept in, the same was rectified. The petitioner cannot have any grievance about the same. No infirmity is brought to the notice of this Court in the impugned order.

In view of the same, I do not see any merit in the writ petition and the same is liable for dismissal.

Accordingly, the writ petition is dismissed. As a sequel thereto, miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed.

A.RAJASHEKER REDDY,J

19-02-2016
nvl

