

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.38113 OF 2016

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for respondents. With their consent, the present writ petition is disposed of at the admission stage.

2. The present Writ Petition came to be filed with the following prayer:

“to issue an appropriate writ, direction or order, more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondent No.1 vide his proceedings in R.C.No.1037/ 2015/A, dated 26-09-2016, sending proposals to the Respondent No.3 through the Respondent No.2 for cancellation of the Patta issued to the Petitioner in an extent of Ac. 0.50 Cents, in Survey No. 162/23,24,25,26 and 27 of the Allinagaram Gram Panchayat, Chilakapalem Revenue Village, Etcherla Mandal Srikakulam District, by the Respondent No.1 vide his proceedings dated 10-09-2008, without notice to the Petitioner, as illegal, arbitrary and violating Article 21 of Constitution of India and Principles of Natural Justice and it is further consequentially prayed that this Hon'ble Court pleased to set aside the said proceedings.”

3. Relying upon the communication between the Tahsildar, Etcherla and the Collector, Srikakulam, which took place in the month of September, 2016, learned counsel for the petitioner submits that the authorities are trying to cancel the D.Form Patta without giving any notice to the petitioner.

4. Learned Government Pleader for Revenue submits that the document, which is sought to be relied upon by the learned counsel for the petitioner, is an internal communication between the Tahsildar and the District Collector, and that the authorities have not taken any steps for cancelling the patta at present and if any such a step is to be taken, the authorities will follow due process of law.

5. Recording the said statement made by the learned Government Pleader, the Writ Petition is disposed of directing the respondent authorities to follow due process of law before taking steps to cancel the D-Form patta issued in favour of the petitioner.

Consequently, Miscellaneous Petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

JUSTICE C. PRAVEEN KUMAR

Date:14.11.2016
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