

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.22863 OF 2017

ORDER:

Heard Mr.S.S.Bhatt, learned counsel for the petitioner and the Assistant Government Pleader (Revenue) for the respondents.

2. The petitioner prays for the following relief:

“to issue writ of mandamus or any appropriate writ order or orders by declaring the action of the respondents in trying to take over the lands of the petitioner situated in Sy.No.89/2, extent Ac.2.02 and 89/5, extent Ac.0.96 cents of Dugganapalle village of Chennur Mandal of Kadapa District as illegal and arbitrary and consequently direct the respondents to follow the due process of law and also the principles of natural justice before taking the lands of the petitioner in Sy.No.89/2, extent Ac.2.02 and 89/5, extent Ac.0.96 cents of Dugganapalle village of Chennur Mandal of Kadapa District”

3. At request of learned Assistant Government Pleader (Revenue), the matter is directed to be listed today for producing the records from 3rd respondent. Written instructions, dated 11-07-2017 are placed on record. Relevant portion in the said written instructions reads thus:

“I submit that the instant writ petitioner i.e., Sri C.Ramesh s/o Pullaiah, Nehru Nagar, Chinnachowk village, Kadapa Mandal is resident of Nehru Nagar of Chinnachowk village of Kadapa Mandal has filed this writ petition with a malafide intention. I submit that the lands in question i.e., S.No.89/2 Ext.2.02 acres and S.No.89/5,Ext.0.90 acres of Dugganapalli village of Chennur Mandal are classified as patta lands as per the RSR of the Dugganapalli village of Chennur Mandal. As seen from the 10 (1) Dugganapalli village, the lands in S.No.89/2 Ext.3.00 stands in the name of Muthalurupadu Subbaiah s/o Narasimhulu vide Khata No.248 (as per D.A. Dis 197/1348 dt.28.09.38). I further submit that as seen from 1B of Dugganapalli village, the lands in S.No.89/2 Ext.2.02 acres and S.No.89/5 Ext.0.90 acres stands in the name of Sri Cheppalai Pullaiah s/o Gangulaiah vide Khata No.488.

I further submit that as per present fasli Account No.03 (Adangal), it shows that both the S.Nos.89/2 Ext.2.02 acres and S.No.89/5Ext.0.90 acres are shown as Assed Waste Government Land. As per the revenue enquiry, it is revealed that the said lands belongs to the writ petitioner and presently laying waste.

Further I submit that No Revenue official have issued any notices to the petitioner for taking over the said land for any other purpose. During the verification of lands for updating in the Adangal the said lands are verified on field by the Revenue officials. At this juncture with an unknown panic or fear the writ petitioner has filed a writ petition. The writ petitioner was asked to prove the Title and owner ship of the said lands and in turn not showing the documents to the Revenue officials he has approached the Hon'ble High Court of A.P. Hyderabad.

In the light of the above facts and circumstances, I submit that the writ petition filed by Sri C.Ramesh s/o Pullaiah, Nehru Nagar, Chinnachowk village, Kadapa Mandal in W.P.No.22863 of 2017 is unjust, unwarranted and not maintainable under law and it is totally devoid of merits and hence I request that the writ petition may be got dismissed to defend the interest of the Government.

The entire connected records are enclosed herewith for kind perusal."

4. Learned counsel appearing for the parties, having regard to the written instructions and enclosures, request the Court to dispose of the writ petition.

5. Accordingly, the Writ Petition is disposed of by placing on record the stand of the respondents. No order as to costs. Miscellaneous petitions, if any pending in this writ petition shall stand closed.

S.V.BHATT, J

DATED: 12-07-2017.

Hsd