

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.14222 OF 2005

ORDER:

The present Writ Petition, under Article 226 of the Constitution of India, came to be filed with the following prayer:

“..to issue any writ or order, direction more particularly one in the nature of writ of mandamus, declaring the action of the 1st respondent in pressurizing the petitioner in order to dispossess the petitioner from her land admeasuring an extent of Ac.2.95 cents in S.No.9-8B of East Kodipalli Village, Kalyandurg Mandal, Anantapur District as illegal, arbitrary and violation of Art.21 of the Constitution of India, and consequently direct the 1st respondent to forbear from the interfering with the possession of the petitioner over the land an extent of Ac.2.95 cents in S.No.9-8B of East Kodipalli Village, Kalyandurg Mandal, Anantapur District.”

2. The averments made in the affidavit filed in support of the writ petition would show that as the petitioner was a landless poor woman belonging to backward community, the 1st respondent herein – Mandal Revenue Officer (MRO) assigned land admeasuring Ac.3.65 cents at East Kodipalli Village, Kalyandurg Mandal, Anantapur District vide proceedings DR.Dis.No.7 of 1999, dated 26.10.1999. The petitioner has been in possession of the said land from the date of assignment. While things stood thus, one B.Peddanna attempted to encroach into the land of the petitioner, taking advantage of the fact that her land has no ridges. The petitioner made a representation to the District Collector, Anantapur to demarcate her land. The District Collector, Anantapur, vide L.Dis.No.E.1/3527/2003, dated 27.05.2003 directed the 1st respondent to take necessary action in the matter. It is further stated that instead of complying with the orders of the District Collector, Anantapur, the first

respondent colluded with B.Peddanna, obtained the thumb impression of the petitioner on some blank white papers on the pretext of demarcating the land, and assigned land to an extent of Ac.0.70 cents out of Ac.3.65 cents to the said Peddanna. Challenging the said action, the petitioner filed an appeal before the 2nd respondent. On coming to know about the said appeal, the 1st respondent threatened the petitioner to vacate the patta land or withdraw the appeal. Hence, the writ petition.

3. A counter came to be filed by the 2nd respondent stating that the appeal preferred by the petitioner was disposed of on merits on 27.06.2005 confirming the orders passed by the 1st respondent.

4. Since the appeal preferred by the petitioner was disposed of, interference with the possession of the petitioner by the 1st respondent would not arise.

5. In view of the above, nothing survives for adjudication in the writ petition.

6. Hence, the Writ Petition is closed giving liberty to the petitioner to challenge the order of the 1st respondent in accordance with law and to avail remedies, if any, available under law.

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

JUSTICE C. PRAVEEN KUMAR

Date:03.08.2017
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