

HON'BLE SRI JUSTICE S.V. BHATT

Writ Petition No.20872 of 2017

ORDER:

With the permission of the court, 5th respondent is impleaded as one of the respondents.

2. Heard Mr. G. Vijaykumar for petitioner and the Assistant Government Pleader for respondents 1 to 5.

3. The petitioner complains against the action of respondents in demolishing foundation said to have been laid by petitioner in an extent of 89.1 sq. yards in Sy.No.754/ 1 of Chinnachowk of Kadapa Town and District, without affording opportunity to the petitioner, as illegal, arbitrary and unconstitutional.

4. The petitioner relies upon Patta/ Regularisation order dated 12.05.1999 issued in favour of the petitioner. The Assistant Government Pleader, on instructions, submits that the Sy.No.754 is classified as 'tank poramboke' in an extent of Ac.25.77 cents and the basis for instant claim is that the survey number is sub-divided and patta granted to the petitioner. According to the respondents, the extent in tank bed area is not divided much less if a small extent of 89.1 sq. yards. Further the patta relied upon by petitioner is also fake and brought into existence.

5. After taking note of the case of the petitioner and the objections raised by respondents, without going into the merits, to afford opportunity to petitioner to assert her claim before the Revenue Divisional officer, the writ petition is disposed of by this order.

- i) The petitioner is given liberty to file appeal/ representation for all reliefs, including against the order

dated 31.05.2017 within two weeks from the date of receipt of a copy of this order;

- ii) The 5th respondent is directed to examine the relevant records and pass orders, within six (6) weeks thereafter, without fail.
- iii) If the 5th respondent for any reason comes to the conclusion that the petitioner is otherwise is entitled for assignment of a house plot, 5th respondent is directed to pass suitable orders for assignment of house plot to the petitioner.

6. The writ petition is disposed of accordingly. No order as to costs. Pending miscellaneous petitions if any in this writ petition shall stand dismissed in consequence.

Date: 29.06.2017
BSS



S.V.BHATT, J

HON'BLE SRI JUSTICE S.V. BHATT

25

Writ Petition No.20872 of 2017



Date: 29.06.2017

BSS