

**IN THE HIGH COURT OF JUDICATURE, AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA
PRADESH**

HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION NO. 24949 OF 2017

DATE OF ORDER: 02.08.2017

Between:

K. Laxmaiah S/o Late Venkat Narsaiah

....Petitioner

And

The State of Andhra Pradesh, represented by its Principal
Secretary, Revenue Department, Secretariat, Hyderabad one
another.

....Respondents



HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION NO. 24949 OF 2017

ORDER:

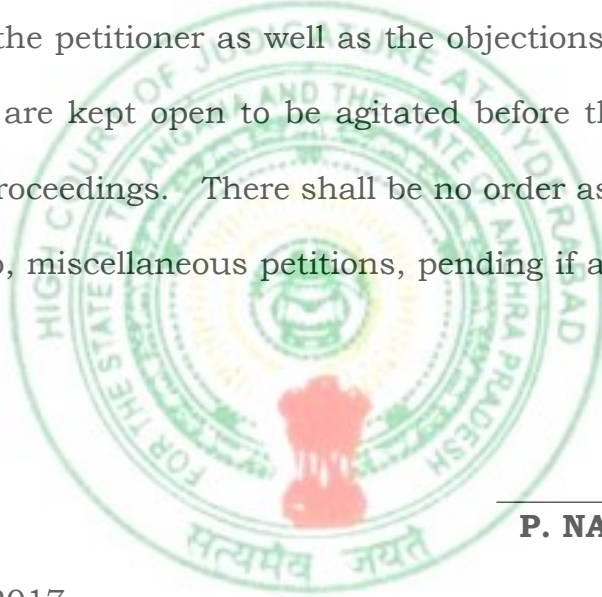
Petitioner claims to be the owner and pattadar of agriculture lands in S.Nos. 159-U2, 160-A2 and S.Nos. 161-A2, 168-A2, 171-A2, 172-A2, 176/9-2, 179-A2, 180-2, 118/2, 175/2 total admeasuring Ac. 6-01 guntas situated at Jajireddygudem Village and Mndal, Suryapet District.

2. Petitioner claims that the said properties were inherited by him. According to the petitioner, grand fathers out of their collective shares left 7 yards width pathway (Donka Bata) out of Sy.No. 159 and 161 for bullock carts and tractors since time immemorial. The said path is being used to get access to their lands. While so, the relatives of the petitioner sold neighboring lands to Chegoni Sree Ramulu S/o Veeramallu. After purchase, Chegoni Sree Ramulu started creating objections and blocking Donka Bata by putting fencing stones. Though earlier enquiry was ordered and panchanama was conducted, no further steps were taken to restore the path way. Aggrieved thereby, on 2.3.2017 petitioner submitted a representation to Tahsildar (2nd respondent). Alleging inaction on the said representation and causing hardship to the petitioner, this Writ Petition is filed.

3. On instructions from the government, learned Government Pleader submits that the said representation is pending consideration by the Tahsildar (2nd respondent) and so far no orders are passed.

4. Having regard to this submission, without expressing any opinion on merits, Writ Petition is disposed of directing the

Tahsildar (2nd respondent) to examine the claim of the petitioner in the representation dated 2.3.2017, and pass appropriate orders, as warranted by law by giving due reasons in support of the decision. If the Tahsildar is of the opinion that before taking decision he also needs to hear Sri Chegoni Sree Ramulu, he may be put on notice and afford due opportunity of hearing. The decision shall be made only after considering the petitioner's claim and the objections of Sri Chegoni Sree Ramulu and appropriate orders as warranted by law be passed, within a period of two months from the date of receipt of a copy of this order. It is needless to observe that all the objections of the petitioner as well as the objections of Sri Chegoni Sree Ramulu are kept open to be agitated before the Tahsildar in appropriate proceedings. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, pending if any, shall stand closed.



P. NAVEEN RAO, J

Date: 02.08.2017
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