

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 20792 of 2017

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Cooperation for respondent No.1.

None appeared for respondent Nos.2 and 3 in spite of service of notice.

The petitioner states that she is a landless poor person and was assigned land to an extent of Ac.1.31 cents in Survey No.76/1B, situated at Kotikalapudi Village, Ibrahimpatnam Mandal, Krishna District on 21.02.1996 by the Mandal Revenue Officer, Ibrahimpatnam, Krishna District, on payment of Rs.655/- with interest at 8% per annum in 15 instalments. She paid the said amount. The Mandal Revenue Officer, Ibrahimpatnam issued pattadar pass books and title deeds in her favour. She obtained a crop loan of an amount of Rs.45,000/- on 12.03.2015 from respondent No.3-Society. At the time of availing the said loan, the petitioner deposited original patta, pattadar pass books and title deeds, for which an acknowledgement was given by respondent No.3. She repaid the said loan along with interest on 24.03.2016. When the said documents were not returned, in spite of her representations, she got issued a notice through her counsel on 30.03.2016. In spite of the same, the documents are not returned and on the other hand, the Chief Executive Officer of respondent No.3 threatened her that if she insists for return of the

documents, a criminal case would be lodged against her under the provisions of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. It appears that he further stated that the documents are with respondent No.2. Challenging the inaction of respondent No.3 in returning the documents, the present writ petition is filed.

As stated above, respondent Nos.2 and 3 did not enter their appearance in spite of service of notice and in view of the same, the averments made by the petitioner in the present writ petition remained un rebutted.

Hence, the writ petition is allowed directing respondent No.3 to return the original documents deposited by the petitioner for availing the loan of Rs.45,000/- on 12.03.2015, within a period of 15 days from the date of receipt of a copy of this order.

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

A.RAMALINGESWARA RAO,J

Dt:21.08.2017

kdl

