

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.30428 OF 2017

Date: 08.09.2017

Between:

Mallisetty Nirmala W/o Murali Krishna Rao,
Aged 48 years, Occu: Housewife, r/o.D.No.12-203,
Gandhi Nagar, Nuzvid, Krishna District.

.....Petitioner

and

The State of Andhra Pradesh, rep.by its
Principal Secretary, Department of Revenue,
Secretariat, Velagapudi, Amaravathi,
Guntur and others.

.....Respondents



The Court made the following:

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ORDER:

In this writ petition, petitioner challenges the notice of Tahsildar, dated 01.09.2017 calling upon the petitioner to appear before him and to produce all the documents in his possession regarding ownership and enjoyment of the property. It appears from the reading of the notice that this notice was issued based on the surveyor's report, where under the revenue records disclose that name of a person, by name, Donepudi Venkaiah Chowdhary and others. Learned counsel for petitioner submits that in response to the notice, on 04.09.2017 petitioner appeared and submitted the documents in support of her claim. However, petitioner was insisted to produce original documents and now the Tahsildar is threatening to throw the petitioner out of the subject property.

2. As seen from the notice, said notice was issued on 01.09.2017 and hearing was scheduled on 04.09.2017. Even according to the petitioner, she appeared on the date fixed for hearing and submitted the documents. So far no orders are passed by the Tahsildar. It is not the case of the petitioner that Tahsildar is not competent to issue such notice whenever it comes to his notice, by way of complaint or in the instant case based on a surveyor's report, about the discrepancies in the revenue records. Once a decision is taken by the Tahsildar, remedies are available to the petitioner under the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971 or by way of civil law remedy.

While the issue is pending before the Tahsildar, this Court cannot interject the proceedings and entertain the writ petition at this stage. Leaving it open to the petitioner to work out her remedies as and when Tahsildar takes a decision, writ petition is dismissed.

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

JUSTICE P.NAVEEN RAO

Date: 08.09.2017
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