

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.29157 OF 2017

Dated:30.08.2017

Between:

Sri M. Praveen Kumar Reddy,
S/o. Jayachandra Reddy,
Age years, Occ: Reporter,
R/o.Nallacheruvu Village and Mandal,
Anantapur District

.. Petitioner

And

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

.. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.29157 OF 2017

ORDER:

Heard.

2. Petitioner challenges notice dated 23.08.2017 issued by the Tahsildar, Nallacheruvu Mandal, Anantapur District.

3. A bare reading of the notice would show that a complaint was lodged by a person, by name, V. Abdul Khadar. Earlier, notice was issued on 06.07.2017 on the complaint given against the petitioner, but he did not respond to the same. The matter was appraised to the District Collector, Anantapur District, Commissioner, Civil Supplies, Anantapur, and Revenue Divisional Officer, Kadiri, and they, in fact, advised to register a crime against the petitioner. However, the petitioner was given further opportunity to respond to the notice calling upon him to submit the documents in his possession in proof of ownership of the subject property mentioned in the notice and also show cause as to why criminal proceedings should not be initiated against him. Hence, this Writ Petition.

4. As noted above, earlier, opportunity was given to the petitioner and since petitioner did not respond to the same, further steps are being taken. At any rate, as petitioner was given further opportunity, he ought to have availed the said opportunity and he cannot seek to stall the authorities from taking a decision, if what is alleged against the petitioner is true. If the petitioner has

sufficient proof in support of his ownership, he cannot shy away and satisfy the authorities.

5. At this stage, learned counsel for the petitioner sought to contend that in fact petitioner responded to the notice dated 06.07.2017. However, on a specific question on proof of submission of such response, learned counsel fairly submits that he does not have any proof. Therefore, I do not see any illegality in issuing the notice impugned in the Writ Petition and when an opportunity is afforded, it cannot be said that the action of the respondents is arbitrary and illegal. Learned counsel further submits that petitioner was given only three days time and he requires a little more time to respond to the notice.

6. Having regard to the same, the Writ Petition is disposed of granting one week time to the petitioner to respond to the notice dated 23.08.2017. The petitioner shall submit his response along with all the supporting documents on or before 05.09.2017. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in the Writ Petition shall stand closed.

P. NAVEEN RAO, J

Date: 30.08.2017

Note:- Issue C.C. in three days.

(B/o)
KH