

**THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO**

**WP.No.28917 of 2013**

**ORDER :**

Heard the counsel for petitioners, and the learned Government Pleader for Revenue, for respondents.

2. The petitioners have filed this Writ Petition alleging that they have been assigned land in DKT Pattas bearing Nos.511/1408 and 512/1408 of Acs.1.90 cents each; that they have been in possession and enjoyment of the same thereafter and they have also been issued pattadar pass books and title deeds; but the respondents are not allowing them to cultivate the said land from July, 2013.

3. In the counter-affidavit filed by respondents, it is stated that no such pattas exist and that the pattadar pass books and title deeds are not genuine.

4. On a direction of the Court, the permanent Register of DKT pattas was produced.

5. Strangely, in the said record after DKT No.510/1408, 513/1408 is appearing and there is no mention of DKT Nos.511/1408 & 512/1408.

6. As per serial, after DKT No.510/1408, there has to be a DKT No.511 followed by DKT No.512. But why they have been omitted in the permanent Register is not explained. This makes the so-called permanent Register produced by the respondents very suspicious. The pattadar pass books and title deeds produced by petitioner bear the signatures of the Mandal Revenue Officer as well as the Revenue Divisional Officer. Also

the petitioner has produced the Adangal issued on 20.01.2017 in I-B Register (on-line extract) showing the names of petitioners.

7. Therefore, *prima facie*, the petitioner seems to have *prima facie* title and possession of the subject land. If the respondents wish to interfere with their possession and enjoyment of the subject land, they have to follow the due process of law. Otherwise, it would be violative of Articles 14 and 300-A of the Constitution of India.

8. Accordingly, the Writ Petition is allowed and the respondents are restrained from interfering with the possession of the subject land without following due process of law. No order as to costs.

9. As a sequel, miscellaneous applications, pending if any in this Writ Petition, shall stand closed.

**JUSTICE M.S.RAMACHANDRA RAO**

Date: 26-04-2017

Ndr/\*

