

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

W.P.NO.13182 OF 2007

ORDER:

This writ petition is filed, seeking to direct the respondents not to evict the petitioner from his land in an extent of Ac.2.10 cents in R.S.Nos.175/1, 176/4. 176/7, 176/8 of Kopalle Village, Kalla Mandal, West Godavari District by declaring that the action of the respondents in trying to evict the petitioner from the said land without issuing any notice and without passing any order is without jurisdiction and arbitrary.

2. It is the case of the petitioner that he is the D-Form patta holder, which was granted to him way back in the year 1989 in respect of the land in an extent of Ac.2.10 cents in R.S.Nos.175/1, 176/4. 176/7, 176/8 of Kopalle Village, Kalla Mandal, West Godavari District and to his surprise, the respondents without issuing any notice, attempted to dispossess him from the said lands.

3. Heard.

4. This Court granted interim order dated 22.06.2007 in W.P.M.P.No.16487 of 2007, directing the respondents not evict the petitioner as long as the assignment in his favour is in force. Thereafter, the respondents filed an application to vacate interim order, contending that the subject lands are not covered by any patta and the so-called patta claimed by the petitioner is a fake document and therefore, this Court by order dated 28.07.2010 in

W.V.M.P.No.2002 of 2008 vacated the interim order granted in favour of the petitioner.

5. It is stated in the counter affidavit filed by the respondents that the petitioner is not in possession of the subject lands and one Danthuluri Koteswara Rao and others are in possession of the said land. However, a notice dated 3.07.2007 was issued to the petitioner and the said notice was served on him questioning the validity of the D-Form patta and that it is a fake document. The petitioner has not chosen to file his explanation

6. In view of the facts and circumstances of the case, nothing survives for adjudication in this writ petition and accordingly, the writ petition is dismissed. No order as to costs. As a sequel, the miscellaneous petitions pending if any shall stand closed.

Date: 20-09-2018
Shr

T.AMARNATH GOUD,J

