

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

Writ Petition No.3179 of 2018

Order:

Heard learned counsel for the petitioner and learned Government Pleader for the respondents.

The petitioner states that he owns and possesses an extent of Ac.1.27 cents of dry land, situated in Survey No.200/3A of Thimmapuram village, Mahanandi Mandal, Kurnool District, having purchased the same under a registered sale deed dated 07.08.1997. He was a minor at that time and the property was purchased in his name by his maternal grand father. He further states that his maternal grand father passed away on 18.09.2014. Thus, he has been in possession of the property through his maternal grand father since 1997 and after his passing away in 2014 on his own, he raised Banana crop in the said land. While so, he was informed by his maternal uncle that he received a notice dated 17.01.2018 on 19.01.2018 from the second respondent stating that the land in Survey No.200/1 is a 'Rasta Poramboke' and the maternal uncle of the petitioner and others have occupied the same and they were asked to submit their documents in proof of their title. Though the petitioner went to the office of the second respondent, the petitioner's case was not heard because the petitioner was not issued with any notice. Apprehending interference with his land, the present Writ Petition is filed.

This Court carefully perused the notice issued in respect of the land in Survey No.200/1 and the name of the petitioner does not figure in the said notice. Even otherwise also, the notice dated 17.01.2018 called the persons mentioned in the said notice to submit their documents in proof of their title and possession on 22.01.2018 and those persons might have submitted the relevant documents. So far as the land of the petitioner situated in Survey

No.200/3A is concerned, there is no notice to the petitioner and there cannot be any apprehension with regard to interference by the second respondent. If the second respondent wants to conduct any enquiry with regard to the land in Survey No.200/3A belonging to the petitioner, it is needless to observe that the second respondent shall issue appropriate notice to the petitioner and take action in accordance with law. The second respondent shall not interfere with the land of the petitioner without following due process of law.

The Writ Petition is, accordingly, disposed of. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in this writ petition shall stand closed.

Date: 02.02.2018

Note:
Issue CC in three days
(B/O)
Nsr

A. RAMALINGESWARA RAO, J

