

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION No.26277 OF 2007

ORDER:

This writ petition is filed seeking to declare action of the respondents in treating the petitioners' private land as Government land unilaterally and taking further steps to dispossess the petitioners from their patta land without following due process of law as illegal.

2. It is the case of the petitioners that the land admeasuring Ac.10.00 gts., in Sy.No.84/A/1 of Patlor Village, Marpally Mandal, Ranga Reddy District, was purchased by their father in an auction (harraz) and it was mutated in his name in Kasra Pahani for the year 1954-55. Since then he is in peaceful possession and enjoyment of the property and after his death, the said land was mutated in their respective names vide proceedings No.A1/146/985 dated 07.07.1985 of Mandal Revenue Officer, Marpally. On 27.09.2007 the second respondent has issued Memo No.B/1039/2007, dated 27.09.2007, informing them that the subject land of the writ petition is Government land and the petitioners required to submit their supporting documents in respect of the subject land of the writ petition, within 24 hours from the date of receipt of the Memo. Apprehending their dispossession, the petitioners filed the present writ petition.

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3. The second respondent filed a counter affidavit denying the allegations of the petitioners that the respondents are trying to dispossess them without following due process of law and prayed to dismiss the writ petition.

4. Heard the learned counsel for the petitioners and Sri Harish Kumar, learned Assistant Government Pleader for Revenue (TG).

5. As seen from the material on record, the second respondent has issued a Memo directing the petitioners to submit the relevant documents relating to the subject land of the writ petition, within 24 hours is unreasonable.

6. It is submitted by the counsel for the petitioners that they also made a representation to the respondents, but it is pending for consideration.

7. Since the issue pertains to the year 2007 and much time has elapsed, there shall be a direction to the petitioners to file a fresh representation along with the material in support of their defence, before the second respondent, within a period of six weeks from today and thereafter, the second respondent shall dispose of the same in accordance with law, within a period of eight weeks from the date of receipt of the representation from the petitioners and also after affording opportunity of personal hearing.

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8. Accordingly, the writ petition is disposed of. No costs. Miscellaneous petitions, pending if any, in this writ petition shall stand closed.

T.AMARNATH GOUD, J

Date:17.08.2018
BV/Shr

