

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.9809 OF 2018

Dated:27.03.2018

Between:

Mallela Usha Rani, W/o. Ramanadham,
Aged about 49 years, Occ: Advocate,
R/o.H.No.4-2-14, Ram Nagar,
Kothagudem Town and Mandal,
Bhadradi Kothagudem District

.. Petitioner

And

The State of Telangana, rep., by its
Principal Secretary (Revenue),
Secretariat, Hyderabad and others

.. Respondents



The Court made the following:

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ORDER:

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

2. Petitioner claimed to have purchased land to an extent of Ac.1.00 in Survey No.410 of Palvoncha Village and Mandal, Bhadradri Kothagudem District, by way of registered sale deed dated 24.01.2012 from a person, by name, Mandalapu Babu Rao. She claimed to be in possession and enjoyment of the said property. She alleges that the Tahsildar, Palvoncha, Bhadradri Kothagudem District, conducted survey on 17.03.2018 by entering into her land and put markings without notice and opportunity to her. The grievance of the petitioner is that though she sought to explain that the subject land is a private patta land, the revenue authorities are not considering the same and are trying to dispossess her from the subject land.

3. This Writ Petition is filed against conducting of survey; inserting markings in the private land and trying to dispossess the petitioner from the subject land. However, no material is placed before this Court to show that such survey was conducted and markings were made and petitioner opposed the same. The petitioner ought to have ventilated her grievance before the Tahsildar or higher authorities against conducting of survey without notice to her and putting markings on her land. Thus, in the absence of material on record to show that an illegal survey was conducted and petitioner was dispossessed in the said

process, this Court is not inclined to entertain the Writ Petition. The prayer sought by the petitioner that there is a threat of dispossession is only premature. Petitioner may have a valid grievance, if she is dispossessed from the subject land without following due process of law.

4. The Writ Petition is accordingly dismissed leaving it open to the petitioner to ventilate her grievance before the competent authority on the alleged survey conducted without notice and opportunity to her and attempting to dispossess her from the subject property. There shall be no order as to costs.

Miscellaneous Petitions, if any, filed in this Writ Petition shall stand closed.

Date: 27.03.2018

KH

P. NAVEEN RAO, J

