

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.11104 OF 2018

Dated:04.04.2018

Between:

Chadala Musalamma, W/o. Bodabbai,
Hindu, Aged about 52 years,
Occ: Agriculture worker, R/o. D. Paidipala
Village, Routhulapudi Mandal,
East Godavari District

.. Petitioner

And

The State of Andhra Pradesh, rep., by its
Principal Secretary, Revenue Department,
Secretariat Building, Amaravathi,
Velagapudi, Guntur District 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 respondents 1 to 4.

2. Petitioner alleges that her husband was assigned land to an extent of Ac.1.95 cents in Survey No.10 of D. Paidipala Village, Routhulapudi Mandal, East Godavari District, in the year 1995. After death of her husband, petitioner is in possession of the said land and is eking out her livelihood by cultivating the same. While so, recently the revenue authorities have inspected the land of the petitioner and serious efforts are made to dispossess her and construct houses for weaker sections on the subject land and in such an event, grave prejudice would be caused to the petitioner.

3. According to learned counsel for the petitioner, there is sufficient alternative land and there is no justification for the respondent authorities to acquire the subject land and dispossess the petitioner and to cause hardship and suffering to her.

4. The averments made in the affidavit filed in support of the Writ Petition would disclose that so far no orders are passed or concrete steps are taken by the respondent authorities to dispossess the petitioner. Petitioner being the assignee and when she asserts that assignment is not cancelled, unless due procedure is followed, an assignee is not divested of the land assigned. Therefore, it is premature for the petitioner to contend that she is

sought to be dispossessed from the subject land to entertain the Writ Petition and to grant the relief as sought for by her.

5. The Writ Petition is accordingly dismissed leaving it open to the petitioner to work out her remedies as available in law, as and when a decision is made affecting her entitlement to cultivate the subject land on which assignment subsists. There shall be no order as to costs.

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

Date:04.04.2018

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P. NAVEEN RAO, J

