

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.11424 OF 2018

DATED :09.04.2018

Between :

Sundam Bulli Dora S/o.Swami Dora,
Aged about 45 yrs, Occu : Agriculture,
R/o.Kotturu, Krishnunipalem,
Gokavaram Mandal, East Godavari District,
Andhra Pradesh.

.. Petitioner

And

The State of Andhra Pradesh,
Rep., by its Principal Secretary to Government,
Revenue Department, A.P.Secretariat,
Velagapudi, Guntur District,
Andhra Pradesh & others.

.. Respondents



This 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 claims to be belonging to Scheduled tribe community. According to petitioner D-form patta was granted on 26.05.2005 on an extent of Ac.0.50 cents of land in Sy.No.183/2B. On a small extent of plot assigned to his wife a house was constructed and petitioner claims to be living in the said house and cultivating the land assigned to him. Petitioner now alleges that some third parties are threatening to evict him and take possession of land. Petitioner claims that inspite of submitting representations to the revenue authorities they are not coming to his rescue in preventing illegal encroachment/dispossession, by private parties. Hence, this writ petition.

3. Learned counsel for the petitioner fairly submits that the official respondents are not threatening to evict the petitioner but sought to contend that they are encouraging the private parties to dispossess the petitioner.

4. By the very narration of facts noted above, there is no dispossession by official respondents without following the due process. If petitioner has any grievance against private parties of threatening to dispossess him, he has to work out his remedies as available in law. The remedy available under the A.P.Assigned Lands (Prohibition of Transfers) Act, 1977, can be invoked only if illegal dispossession is made on assigned land. Therefore, the

cause in the writ petition is pre-mature in so far as official respondents are concerned.

Thus, leaving it open to the petitioner to work out his remedies as available in law, if private persons are threatening to dispossess him, from the land assigned to him the Writ Petition is dismissed.

There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

9th April, 2018
Rds

P.NAVEEN RAO,J

