

**THE HON'BLE SRI JUSTICE P.NAVEEN RAO**

**WRIT PETITION No.12518 OF 2018**

**DATED : 01.05.2018**

Between :

Vardhanapu Rutamma,  
W/o.Yesuratnam, Aged about 44 yrs,  
Aadhar No.6091 9629 2069 & others.

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Petitioners

And

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

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Respondents



This court made the following :

**THE HON'BLE SRI JUSTICE P.NAVEEN RAO**

**WRIT PETITION No.12518 of 2018**

**ORDER :**

Heard learned counsel for the petitioners and learned Assistant Government Pleader for revenue appearing for respondents.

2. This writ petition is filed alleging that the respondents are interfering with possession and enjoyment of petitioners plots bearing Nos.73, 28, 138, 24 and 33 respectively in R.S.No.53 of Dharbarevu Village H/o.Vemuladeevi, Narsapur Mandal, West Godavari District, without following the due process.

3. Petitioners filed additional set of material papers including the letter dated 29.03.2018 written by Tahsildar, Narsapur to the Sub-Collector, Narsapur, informing him that the subject plots are not in occupation and houses are constructed and to cancel the pattas granted to them.

4. Learned Assistant Government pleader also placed on record the very same letter along with the list of names whose assignments were sought to be cancelled including the petitioners. He has also circulated photocopy of notice dated 03.07.2017 issued to petitioners calling upon them to submit their explanation and why the plots assigned to them should not be cancelled. Learned counsel for the petitioners submits that no notice was served.

5. Be that as it may, as fairly submitted by learned Assistant Government Pleader, it appears on the proposal submitted by Tahsildar, the Sub-Collector authorises Tahsildar to cancel the

assignment and to hold Gram Sabha to select genuine beneficiaries. In other words, no procedure was followed to cancel the assignments already granted and no decision was made in pursuant to the notice issued on 03.07.2017.

6. Having regard to the same, the Writ Petition is disposed of with the following order :

Petitioners are granted liberty to file their explanation to the notice dated 03.07.2017 copies of which are now furnished to learned counsel appearing for the petitioners. On due consideration of the said explanation the Tahsildar shall pass appropriate orders as warranted by law, by assigning due reasons in support of the decision and communicate the same to the petitioners. Till a decision is taken and communicated, petitioners shall not be dispossessed from the subject plots. There shall be no order as to costs.

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

**P. NAVEEN RAO, J**

1<sup>st</sup> May, 2018  
Rds