

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.13703 OF 2018

Dated:19.04.2018

Between:

Smt. Konanki Parvathamma,
W/o. Venkatappaiah, aged about
56 years, Occ: Agriculture Coolie,
R/o. Rupenaguntla Village,
Nekarikallu Mandal, Guntur District

.. Petitioner

And

The State of Andhra Pradesh, rep., by its
Principal Secretary, Revenue Department,
Secretariat, Velagapudi, Amaravathi,
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 the respondents.

2. On a complaint made by the villagers that there is encroachment of Kunta Poramboke in land to an extent of Ac.1.70 cents in Survey No.244/20 of Rupenaguntla Village, Nekarikallu Mandal, Guntur District, the Tahsildar, Nekarikallu Mandal, Guntur District, issued notice dated 15.02.2018 calling upon the petitioner to submit her explanation on the allegations made. In response to the same, petitioner replied to the said notice through an advocate. While so and even before a decision is made by the Tahsildar, petitioner filed this Writ Petition.

3. It cannot be said that the Tahsildar has no competence to issue such notice when an allegation is made that kunta of the village is encroached and unauthorizedly occupied by some persons. If petitioner claims that she has not encroached the said kunta; she is in occupation of the land assigned to her and the same is already explained to the Tahsildar, it cannot be expected, at this stage, that the Tahsildar would not consider the explanation offered by her and would dispossess her from the subject property even before a decision is made. Thus, the Writ Petition against a show cause notice is not maintainable.

4. 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 by the Tahsildar. There shall be no order as to costs.

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

Date:19.04.2018

KH

P. NAVEEN RAO, J

