

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.13881 of 2018

ORDER:

Heard Mr.SMadan Mohan Rao for petitioner and the learned Assistant Government Pleader for Revenue.

The petitioner prays for the following relief :-

“....to issue writ, order or direction more particularly one in the nature of writ of Mandamus to declare the action of the respondents to evict the petitioner from agricultural wet land bearing Sy.No.237/ 2 to an extent of 0.67 cents situated at Kothavalasa Village, Parvathipuram Mandal, Vizianagaram District, without following due process of law in violation of principles of natural justice and Article 300A of the Constitution of India, without any right and consequently direct the respondents not to evict the petitioner from agricultural wet land bearing Sy.No.237/ 2 to an extent of 0.67 cents situated at Kothavalasa Village, Parvathipuram Mandal, Vizianagaram District, without following due process of law.....”.

On 05.06.2018 and 29.06.2018, the learned Assistant Government Pleader sought time for filing counter affidavit.

The 4th respondent filed counter affidavit. The relevant portion of the counter affidavit reads as follows :-

“..... The land in Sy.No.237/ 2A for an extent of Ac.0.67 cents is recorded as Banda in 22A Register. The D-Form S.No.1450/ 93 dt.Nil for Sy.No.237/ 2, which is said to have been issued to the individual is fake and no Land Revenue is collected from the individual by the present set up Village Revenue Officers. The individual has fraudulently obtained receipts from the erstwhile Village Administrative Officers and there is no necessity to

collect Land Revenue on dry land as the entire Land Revenue is waived and exempted from collection. The patta produced by petitioner is bogus one and he is not entitled for any relief....”.

In view of the dispute between the parties, the petitioner is given liberty to file representation before 3rd respondent for appropriate prayers vis-à-vis subject land by enclosing a copy of this order within two weeks from today.

The 3rd respondent conducts enquiry on the representation of the petitioner, examines the original documents submitted by petitioner and disposes of the representation as expeditiously as possible, preferably within three months thereafter.

The writ petition is disposed of accordingly. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

Dt: 23-07-2018
Prv

S. V. BHATT, J



