

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 13785 of 2018

Date : 19.4.2018

Between:

Gopa Jayaprakash S/o Sri Laxminarayana
47 years
R/o H No. 25-598Y Srinivasanagar
Nandyal town and mandal
Kurnool district, AP

Petitioner

And

The State of A P
Rep by its Principal Secretary
Revenue Department, Secretariat,
Guntur district and another

Respondents

The Court made the following:



ORAL ORDER:

Petitioner claims that he is absolute owner of land to an extent of Ac.0.16 ½ cents in Timmapuram village, Mahanandi mandal, Nandyal sub division, Kurnool district claimed to have been purchased on 15.7.2008. Petitioner claims that he has perfected title to the said property. In this writ petition, petitioner challenges notice dated 17.1.2018 according to which land to an extent of Ac.4.13 cents is 'Rasta Poramboke and Government land'. Notice alleges that petitioner is in occupation of some extent of said land, therefore petitioner was called to explain why Government should not take possession of the said land. Petitioner was directed to submit all relevant documents in support of his claim to satisfy that he is in occupation of the private patta land. According to learned counsel, petitioner responded to said notice and appeared before the Tahsildar on 22.1.2018 and submitted all the documents. Petitioner also submitted an application to conduct survey and paid fee in Meeseva on 16.4.2018. At this stage, even before a decision is made to conduct survey, this writ petition is filed on the ground that respondents are orally stating that they are dispossessing the petitioner without passing any order.

When specifically asked, learned counsel for petitioner fairly submits that Tahsildar is competent to issue notice but his only grievance is that his application to conduct survey is not acted upon so far. At this stage, it cannot be said that documents stated to have been submitted by the petitioner pursuant to issuance of notice dated 17.1.2018 and request to conduct survey would not be considered. Even before decision is made by competent authority, Court is not inclined to entertain writ petition against show cause notice issued by competent authority. Accordingly, writ petition is dismissed leaving it open to petitioner to work out his remedies. No costs. Miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

DATE: 19-04-2018
TVK