

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.14156 OF 2018

Dated 23rd April 2018

Between:

Kotha Vinoda, W/o.Late Shankaraiah.

...Petitioner

And

1. The State of Telangana, rep.by its Principal Secretary, Revenue Department, Secretariat, Hyderabad and three others.

...Respondents

The Court made the following:



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ORDER:

1. Heard learned counsel for the petitioner and learned Government Pleader for Revenue appearing for the respondents.

2. According to the petitioner, the land was assigned to her husband on 20.09.1974 to an extent of Acs.2.00 in Survey No.64 of Naspur Village and Mandal, Mancherial District. In the family settlement, land to an extent of Ac.1.08 gts remained with the husband of the petitioner. The said assignment still subsists and the petitioner is in possession and enjoyment of the same after the death of her husband. Apprehending that the Tahsildar is directing the petitioner to vacate from the subject land on the ground that the subject land is required for construction of houses to the weaker sections, the present Writ Petition is filed.

3. As the petitioner asserts that the assignment was granted in the year 1974, the petitioner has been in possession and enjoyment, it cannot be stated that the petitioner can be dispossessed without following due process of law, if the assignment already granted earlier was not cancelled. The Writ Petition is filed on mere apprehension and is liable to be dismissed.

4. Therefore, the Writ Petition is dismissed. It is needless to observe that if the petitioner is dispossessed without following due process of law, she can avail appropriate remedy as available in

law. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand dismissed.

(P.NAVEEN RAO, J)

23rd April 2018
RRB

