

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.14626 OF 2018

DATED :25.04.2018

Between :

K.Sujathamma W/o.Gulaganappa,
Aged about 60 yrs, Occu : Agriculture,
R/o.Tumucherla Village, Kanaganapalli Mandal,
Anantapur District.

.. Petitioner

And

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

.. Respondents



This court made the following :

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ORDER :

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

2. Petitioner was granted D-form patta on land to an extent of Ac.3.38 cents in Sy.No.418-2, Tumucherla Village, Kanaganapalli Mandal, Anantapur District, on 27.12.2006 and the same was subsisting. The petitioner is in possession and enjoyment of the said property. While so, on 20.03.2018, the Tahsildar, issued notice directing the petitioner, to appear before him on 24.03.2018, with all the supporting documents to show that she is in valid possession. Accordingly petitioner appeared before the Tahsildar and submitted all the documents. Alleging that even before a decision is made in pursuant to the notice, the Tahsildar is threatening to dispossess the petitioner, this writ petition is filed.

3. As noticed from the material on record the notice was issued for the second time on 20.03.2018 calling upon the petitioner to produce the relevant documents evidencing valid possession and enjoyment and petitioner claims to have submitted the documents. If that is so, it cannot be expected that the Tahsildar would not examine the documents presented by the petitioner and take a decision before dispossessing her, as sought to be alleged, more so, when according to the petitioner, D-Form patta was granted to her which is subsisting and the revenue records also reflect her name.

The present writ petition is pre-mature and is an pre-emptive litigation.

4. Thus, leaving it open to the petitioner to work out her remedies, if an adverse decision is made, consequent to the notice issued the Writ Petition is disposed of. There shall be no order as to costs.

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

25th April, 2018
Rds

P.NAVEEN RAO,J

