

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.15782 OF 2018

DATED :30.04.2018

Between :

Smt.B.Saraswathamma W/o.Nagaiah,
71 yrs, R/o.Nunepalli Village,
Nandyal Mandal, Kurnool District & others.

.. Petitioners

And

The State of Andhra Pradesh,
Rep., by its Principal Secretary,
Revenue Department,
Secretariat Buildings, Velagapudi,
Amaravathi Capital Region Area, Guntur & others.

.. Respondents



This court made the following :

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ORDER :

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

2. Petitioners claim that they were assigned house site pattas in Plot Nos.280, 181 & 282 of Nunepally Village, Nandyal Mandal, Kurnool District, in Sy.No.51 on 22.08.2008 and since then they are in possession and enjoyment and so far these house site pattas are not cancelled. While so, petitioners apprehend that there is an attempt made to assign the very same house site pattas to other parties and the same is illegal.

3. A reading of the prayer sought in support of the writ petition and the averments made in the affidavit filed in support of the writ petition itself would show that so far no such assignment is granted. When petitioners assert that the house site pattas were granted to them and those house site pattas are not cancelled, without canceling the house site pattas, no further assignment can be granted. Therefore, what is alleged is nothing but presumption and on apprehension only, this writ petition is filed. This Court is not inclined to entertain the writ petition at this stage.

4. It cannot be said that the petitioners are remediless, if the house site pattas are assigned to third parties on the pattas already assigned to petitioners and when those pattas are subsisting.

5. Having regard to the above observations, the Writ Petition is dismissed. There shall be no order as to costs.

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

30th April, 2018
Rds

P.NAVEEN RAO,J

