

HON'BLE SRI JUSTICE S.V. BHATT

W.P. No.18543 OF 2018

ORDER:

The petitioner prays for the following relief:

“...writ of Mandamus declaring the action of the respondents in dispossessing the petitioner from her land admeasuring Ac.1.10 ½ gts. in Sy.No.356, situated at Mothe village Shivar, Jagtial Mandal and District without following due process of law, as arbitrary, illegal, violative of Articles 14,21 and 300-A of the Constitution of India and consequently direct the respondents to follow due process of law under Land Acquisition Act...”

The learned Assistant Government Pleader for Revenue places before the Court the written instructions, which reads as follows:

“ It is submitted that the total extent of land in Sy.No.356 situated in Mothe revenue village is 5.02 acres, out of which, the writ petitioner is the pattedar to an extent of 1.10 ½ acres. The allegation of the writ petitioner regarding dispossessing her from Sy.No.356 of Mothe revenue village is not correct and it is far from truth. Further it is submitted that there is no attempt or any proposals from the side of respondents 1 to 3 to dispossess the writ petitioner from her patta land.

The fact is that, upon the requisition made by the villagers of Govidupalle H/o. Mothe this office has initiated proposals for allotment of government land in Sy.No.358 of Mothe revenue village in which Govidupalle habitation included. Subsequently the mandal surveyor has demarcated the land in 358 of Mothe revenue village and proposed for alienation for allotment. Further it is submitted that, on the field it is quite adjacent to the sy.No.356 which was mentioned in the writ petition, hence the writ petitioner might be in a misconception that the revenue authorities are allotting her land to said purpose.

As submitted in supra we never attempted to dispossess the pattadar in sy.no.356 of mothe village, and we are no way concerned with the sy.no.356 as it is patta land, we are concerned about government land in sy.no.358 of mothe village which is proposed for Grave yard.”

The written instructions are taken on record and accepted. The writ petition is disposed of accordingly. As regards Survey No.356, it is up to the respondents to act in accordance with law if circumstances warrant. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

Date: 07.06.2018
Sp



S.V.BHATT, J