

HON'BLE SRI JUSTICE S.V.BHATT

W.P.No.20263 OF 2018

ORDER:

Heard Mr.D.SN.V.Prasad Babu for petitioner and the learned Assistant Government Pleader (Revenue) for respondents 1 to 3.

The petitioner prays for the following relief:

“.....this Hon'ble Court may be pleased to issue a writ or order or orders or directions, more particularly one in the nature of Writ of Mandamus declaring the highhanded action of the respondents in trying to dispossess the petitioner from the subject land to an extent of Ac.0.40 cents covered by R.S.No.33, Sriramavaram Village, Denduluru Mandal, West Godavari District, as arbitrary, illegal, unconstitutional, biased and violative of the principles of natural justice and consequently direct the respondents to follow due process of law if at all the subject land is required for any genuine or public purpose and pass...”

The petitioner relies on assignment dated 07.08.1987 to claim grant and possession of subject matter of writ petition. The Assistant Government Pleader by referring to the written instructions denies the existence of patta and possession. Mr.Prasad Babu to prove *bona fides* on the part of the petitioner places D-form assignment dated 07.08.1987 (original) and contends that the 3rd respondent by habit is informing the Court that pattas produced by weaker sections are fake and fabricated. The Court hastens to add that the Assistant Government Pleader disputes the contention of Mr.Prasad Babu.

Keeping in view the above submissions, this Court disposes of the writ petition, to meet the ends of justice, by this order:

- (a) the Revenue Divisional Officer, Eluru is impleaded as respondent No.5;
- (b) the petitioner is given liberty to make representation to 5th respondent on all the prayers the petitioner has vis-à-vis the assignment dated 07.08.1987 by enclosing a copy of this order;
- (c) the 5th respondent conducts enquiry on the representation and, if circumstances warrant, calls for field inspection report and disposes of the representation;
- (d) the said exercise is directed to be completed as expeditiously as possible, preferably within three months from the date of representation by the petitioner; and
- (e) after filing the representation, the petitioner, if so advised, can pray for appropriate prayers as are deemed fit, in the circumstances, before the 5th respondent.

There shall be no order as to costs.

Pending miscellaneous petitions, if any, stand closed.

S.V.BHATT, J

17th July, 2018

Note:

CC in 3 days

Lrkm