

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.31892 OF 2018

ORDER:

The present writ petition came to be filed seeking to declare the action of the respondents 1 to 4 in threatening the petitioners to deliver the land admeasuring Ac.0.52 cents, situated at Sy.No.127/4, Ac.0.24 cents, situated at Sy.No.127/5, Ac.0.28 cents, situated at Sy.No.128/1, Ac.0.06 cents, situated at Sy.No.128/2 and Ac.0.19 cents, situated at Sy.No.128/8 of Alikam Village, Srikakulam Mandal and District, at the instance of the respondents 5 and 6, without following the due process of law, as illegal and arbitrary.

When the matter is taken up for hearing, the learned Government Pleader for Revenue, placed on record the written instructions, stating that one Smt Addanki Surayakumari, W/o. late Appa Rao submitted a representation stating that the lands referred to above, were erroneously entered in the Khata No.351 and 352, and that same requires rectification and issuance of e-Pattadar passbook and title deed thereon. It is further stated that after verification of the records and after conducting the enquiry, the concerned authority passed orders dated 15.2.2017, directing the petitioners to produce the pattadar passbook and title deeds to rectify the entries made. After the expiry of limitation in filing the appeal, Addanki Suryakumari, W/o. late Appa Rao has applied for issuance of e-Pattadar passbook and title deed. If the petitioners are aggrieved by the order passed by the Tahsildar, they may have to file an appeal before the appellate authority. Without filing the same, the petitioners have directly approached this Court by filing the present writ petition under Article 226 of the Constitution of India.

It is now urged that the official respondents herein are trying to dispossess the petitioners from their possession without following due process of law.

Having regard to the facts and circumstances of the case, the writ petition is disposed of directing the 1st respondent, to follow due process of law, before taking any steps to dispossess the petitioners from the subject lands, if the petitioners are in possession of the same.

With the above direction, the writ petition is disposed of. No order as to costs. As a sequel to disposal of the writ petition, WP.M.Ps if any pending shall stand closed.

C. PRAVEEN KUMAR, J

Dated:10.09.2018.
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