

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 31969 of 2018

ORDER:

1) The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of the respondents in proposing to enquire into the title of the petitioner in respect of land admeasuring Ac.0.83 cents in R.S.No.258/ 2 of Rayavaram Village, Guduru Mandal, Krishna District, under the guise of some allegations made by the respondents 5 to 7, as arbitrary, illegal and violative of principles of natural justice.

2) The averments made in the affidavit filed in support of the writ petition would show that the petitioner claims to be the absolute owner and possessor of the land referred to above, having devolved upon her under a settlement deed dated 29.12.2017 executed and registered by her husband M.V.Nancharayya, who is the beneficiary under a Will Deed No.8189 of 2017, which was executed by his paternal grandmother by name Smt.M.Subbaravamma. It is said that the property belongs to the father of Smt. M.Subbaravamma and the same was bequeathed to her by her father, who succeeded to the said ancestral property during his life time. Ever since then the husband of the petitioner claims to be in

possession and enjoyment of the property. Recently, the official respondents at the instance of respondents 5 to 8 started threatening the petitioner with dire consequences and also preventing the petitioner from raising a compound wall. It is further stated that though the un-official respondents have no right, but at the instance of respondents 5 to 8, the Tahsildar has summoned the petitioner to his office to enquire about the title of the petitioner. Challenging the action of the Tahsildar, the present Writ Petition came to be filed.

3) The learned Government Pleader for Revenue (AP), who took time to get instructions, placed on record the written instructions, wherein it is mentioned that the Tahsildar has not received any representation from respondents 5 to 8 and that the present Tahsildar, Gudur is now transferred to Vijayawada. It is further stated that no enquiry proceedings are initiated by the Tahsildar and the allegation that the petitioner is being called to the office of the Tahsildar, is denied.

4) In view of the fact that the Tahsildar, against whom the allegation is made, is now transferred and no proceedings are pending, the Writ Petition is closed, making it clear that any action to be taken, same shall be in accordance with law.

5) Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

JUSTICE C. PRAVEEN KUMAR

17.09.2018
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