

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.32195 OF 2018

ORDER:

The present writ petition came to be filed seeking to declare the action of the 2nd respondent, in canceling the pattas vide proceedings dated 21.7.2018 in respect of the agricultural lands admeasuring Ac.4.53 cents, situated at Sy.No.342/2A1C/1, Ac.5.04 cents, situated at Sy.No.342/2A2 and Ac.0.50 cents, situated at Sy.No.342/2A/1B1 of S.V. Puram Village, Vadamalapet Mandal, Chittoor District, as illegal and arbitrary.

The grievance of the petitioners is that they are the lawful owners and possessors of the subject land which were assigned in their name about 30 to 40 years earlier. While things stood thus, basing on an anonymous letter sent to the revenue authorities, the 2nd respondent-Joint Collector, has sumoto taken up the enquiry. Without looking into the records to find out as to whether the petitioners have violated any provisions of the P.O.T Act, 1977, issued the impugned proceedings. It is stated that the petitioners were landless poor persons before granting the assignment. It is also urged that the 2nd respondent-Joint Collector failed to communicate the copy of the impugned proceedings to the petitioners, till date.

Learned counsel for the petitioners submits that the petitioners are in possession and enjoyment of the subject lands since last 30 to 40 years and they would prefer an appeal before the Chief Commissioner of Land Administration, Gollapudi, Vijayawada against the impugned proceedings, in which event, the CCL may be directed to dispose of the same at the earliest.

Having regard to the facts and circumstances of the case, the writ petition is disposed of directing the petitioners to prefer an appeal before the Chief Commissioner of Land Administration, Gollapudi, Vijayawada

along with the stay application, against the impugned proceedings of the 2nd respondent, within a period of four weeks from today, in which, event, the authority shall deal with the same and pass appropriate orders either in the appeal or in the stay application, in accordance with law, after giving reasonable opportunity of hearing to the petitioners and all concerned, at the earliest, preferably within a period of four to six weeks from the date of filing of the appeal. *Status quo* existing as on today, shall be maintained for a period of eight weeks from today.

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.

Dated:07.09.2018.
Gk

C. PRAVEEN KUMAR, J



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