

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.42056 OF 2018

O R D E R

The case of the petitioner is that her husband was in possession of subject property in an extent of Acs.2.50 cents in Sy.No.122 of Pedamushidivada village, Parwada Mandal, Visakhapatnam District and his possession was recognized by revenue authorities and his name was entered in the revenue records. After the death of her husband on 3.3.1990, she has been in possession and enjoyment of the same. During the life time of her husband, they raised cashew-nut plantation in the subject land. Now the grievance of the petitioner is that the respondent No.3 – Tahsildar, stating that the subject land would be allotted to weaker sections under the NTR Housing scheme, is interfering with her possession, without following the due process of law. Hence, the writ petition.

Heard the learned counsel for the petitioner.

Learned Assistant Government Pleader for Revenue, produced written instructions of the 3rd respondent stating that the land in an extent of Acs.14.20 cents in Sy.No.122 of Pedamushidivada village of Parawada mandal, is classified as Government Poramboke as per official records and in the said survey number, an extent of Ac.0.62 cents, is earmarked and layout is prepared for Government Rural Housing programme for the below poverty line people and the foundation stone was laid by the MLA of Pendurthy constituency on 30.09.2018 and that for the said public purpose, if the subject land is required, respondents would follow the due process of law.

Along with the material papers, petitioner filed photo copies of Adangal and Pahanies dated 4.4.2003, issued by Village Revenue Officer, Pedda Mushivada village, wherein the name of the husband of the petitioner is shown as pattadar and the petitioner is shown to be in possession of the subject property. As per the submissions of the learned Assistant Government Pleader for Revenue, if the subject property is required for Government Rural Housing Programme, respondents would follow the due process of law.

In view of the above facts and circumstances of the case and submissions of the learned counsel, writ petition is disposed of directing the respondents not to dispossess the petitioner from the subject land without following the due process of law.

Interlocutory applications pending, if any, shall stand closed. No costs.

DATE: 22—11—2018

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A. RAJASHEKER REDDY, J