

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.42829 OF 2018

O R D E R

The case of the petitioner is that the subject land was inherited by her husband and his name was mutated in the revenue records and after his death, she has been in possession and enjoyment. When the 3rd respondent - Tahsildar, without issuing any notice and opportunity, changed the entries and entered the names of unofficial respondents in the revenue records vide proceedings in Rc.No.708/2016/Arekal, dated 12.05.2017, she filed W.P.No.39576 of 2017, and this court by interim order dated 09.11.2017, suspended the proceedings of the 3rd respondent. The grievance of the petitioner is that though this court suspended the proceedings of the 3rd respondent, the said respondent is entertaining the applications of unofficial respondents for mutation of their names in the revenue records and he is also requiring the 4th respondent – Sub Inspector of Police, Adoni Mandal, Kurnool District, to induct them into the subject property, and in turn, the 4th respondent is threatening her to vacate from the subject land. Thus, alleging that respondents 3 and 4 are seeking to evict the petitioner from the subject land, without following due process of law, the present writ petition is filed.

On 27.11.2018, when this matter was listed for admission, learned Assistant Government Pleader for Home, on instructions, submitted that 4th respondent never interfered with the possession of the petitioner.

Learned Assistant Government Pleader for Revenue produced written instructions of the 3rd respondent dated 28.11.2018 stating that 3rd respondent never interfered with the possession, nor issued any notice to

the petitioner and that there are no proposals to evict the petitioner from the subject land and that the present writ petition is filed on mere apprehension.

Perusal of the material on record and the written instructions, discloses that there are disputes between the petitioner and the unofficial respondents and this is evident from W.P.No.39576 of 2017 filed by the petitioner against unofficial respondent and this court has granted interim order in this said writ petition. Further, the learned Assistant Government Pleaders appearing for 3rd and 4th respondents, on instructions, categorically stated that these respondents never interfered with the possession of the petitioner. In view of these facts and circumstances, this court is not inclined to entertain the writ petition, however, the same is disposed of giving liberty to the petitioner to avail alternative remedies available under law, if her possession is sought to be interfered with by the unofficial respondents.

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

A.RAJASHEKER REDDY,J

DATE:03—12—2018

AVS