

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.46089 of 2018

ORDER:

The case of the petitioner is that husband of the petitioner was in possession and enjoyment of the land admeasuring Ac.0-25 cents situated in Sy.No.406/1 of Pedamushidivada Village, Paravada Mandal, Visakhapatnam District and subsequent to his death, petitioner and her son were in possession and enjoyment of subject land. During life time of husband of the petitioner, her husband raised a thatched shed in a portion of the land besides cultivating the remaining land. The petitioner and her son are eking out their livelihood by doing cultivation in the subject land even after death of her husband. Having recognized her possession, the Grampanchayat, Pedamushidivada Village made assessment to the thatched shed by assigning door number besides collecting house tax from time to time. The electricity department also issued electricity connection to the thatched shed in the subject land. It is further stated that having allowed the petitioner to occupy and cultivate the subject land for the last twenty years, the respondent-authorities without assigning any valid reasons are now asking her to vacate the land, otherwise they will forcibly evict her from the subject land. It is further stated that on 14-12-2018 respondents 3 and 4 visited the subject land and without assigning any reasons wanted the petitioner to vacate the subject land without issuing any notice. Aggrieved by the same, the present writ petition is filed.

Learned Assistant Government Pleader for Revenue produced written instructions stating that subject land is classified as government Poramboke land and there is no assignment and no patta is granted to anyone. It is also stated that the subject land is proposed for construction of rural housing programme for poor and if the petitioner makes any representation, her case will also be considered for grant of house in the proposed housing scheme.

In this case, except filing some tax receipts, no documentary evidence is produced to show that petitioner is in possession of subject land. Learned counsel for the petitioner says that the petitioner has already made representation dated 24-12-2018.

In view of the facts and circumstances of the case, the respondents are directed to consider the representation dated 24-12-2018 said to have been made by the petitioner for grant of house in the proposed housing scheme and take action, if she is eligible.

With the above direction, the writ petition is disposed of. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

28-12-2018
Nvl



