

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

W.P.No. 25600 of 2019

ORDER :

Heard learned counsel for petitioner and learned Government Pleader for Revenue.

2. Petitioners claim an extent of Ac.3.00 guntas each in Bonala village, Sircilla mandal, Rajanna Sircilla district was assigned to them during 1992 to 2003 and since then they are in peaceful possession of the same by cultivating various crops in the said land and their names were reflected in Form 1-B and pattadar passbooks and title deeds were also issued in their favour. While that being so, when some of the villagers tried to interfere with their possession, petitioners made a representation to the first respondent while marking copies to all the respondents herein. This writ petition is filed alleging that no action is taken on the said representation.

3. The basic facts with regard to assertion of petitioners that they are in possession of subject property are not in dispute. From a reading of representation made to first respondent and the averments in the writ affidavit discloses that the petitioners apprehend that neighbours/third parties are trying to dispossess them without any justification and the revenue authorities with corrupt motives are taking steps to dispossess them. According to petitioners, the assignment pattas granted to them are not cancelled and they are in possession and enjoyment of the property. While that being so, on mere apprehension that there is likelihood of some third parties in collusion with revenue authorities may try to dispossess the petitioners, this writ petition is filed. In the prayer portion, petitioners seek to conduct enquiry. It is not clear as to what the

petitioners are expecting in the form of enquiry. This Court cannot give directions to the revenue authorities to prevent somebody to encroach as it will come under civil dispute. It is for the competent authority under Act 1977 to protect the assignees from encroachers and grant possession back to the assignees, if any. In view of the safeguards provided under Act 1977, this Court is not inclined to entertain this writ petition.

4. For the foregoing reasons, the writ petition is dismissed, leaving it open to the petitioners to work out their remedies as available under law, if so advised. Pending miscellaneous petitions shall stand closed.

Date: 21.11.2019
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P.NAVEEN RAO,J

