

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.28551 OF 2019

DATED : 24.12.2019

Between :

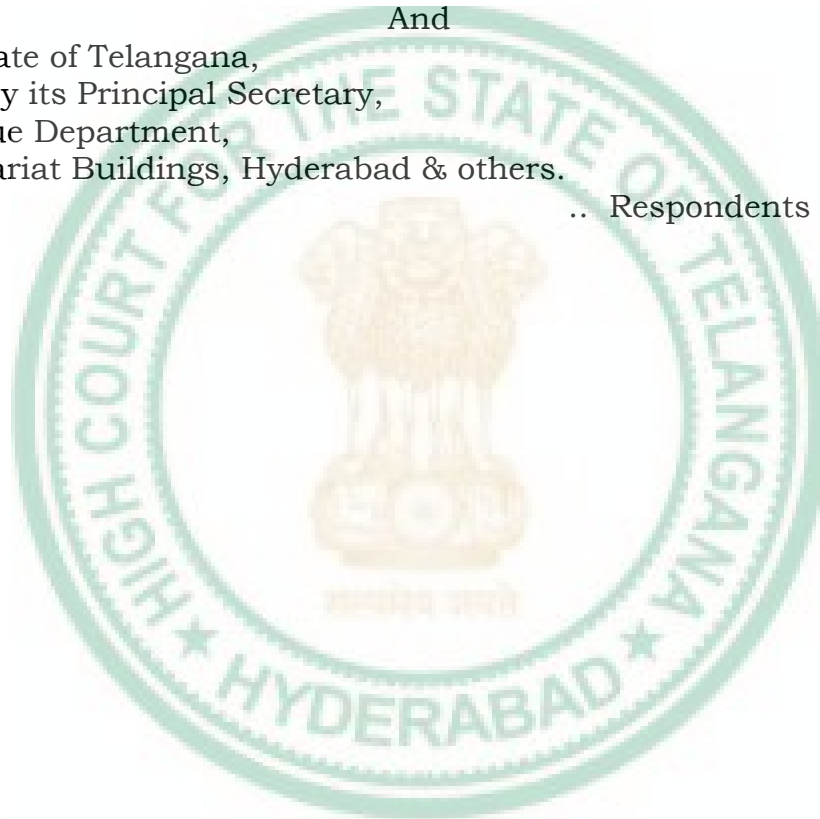
Tursam Chilakamma W/o.Bhadraiah,
Age : 47 yrs Occu : Agriculture,
R/o.H.No.25-2-32, Kuntinagulagudem,
Paloncha town and Municipality,
Paloncha Mandal,
Bhadradri-Kothagudem District & others.

.. Petitioners

And

The State of Telangana,
Rep., by its Principal Secretary,
Revenue Department,
Secretariat Buildings, Hyderabad & others.

.. Respondents



This court made the following :

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ORDER :

Heard learned counsel for the petitioners, learned Government Pleader for Revenue for respondents 1 to 5 and learned Government Pleader for Home for respondent No.6.

2. Petitioners claim that they are in possession and enjoyment of various extents of land mentioned in paragraph Nos.3 to 9 of the affidavit filed in support of the writ petition, in Sy.No.817/84 with individual sub-divisions of Kuntinagulagudem, Palvoncha Revenue Village, Bhadradri-Kothagudem District; that they were granted pattas and they are in occupation and enjoyment of their respective lands on which pattas were granted to them. Petitioners now allege that the Tahsildar, is trying to dispossess them, without following the due process and for no justifiable reason or cause, when pattas granted to them are still in force. This writ petition is filed alleging that the said action of revenue authorities in trying to dispossess the petitioners, is illegal.

3. On instructions, learned Government Pleader, submits that Sy.No.817 covers 2500 Acres of land, out of this, 1790 Acres is covering the reserve forest; and on 605 Acres of land, assignments were granted to tribals. After all this, Government is still in possession of Ac.85-00 of land. A detail survey was conducted to demarcate the lands assigned to assignees, in the presence of local people and in the guise of claiming that petitioners were granted pattas in their respective sub-divisions, they are trying to encroach into the Government land.

4. Learned Government Pleader also points out that except making an assertion of assignment, granting of pattas and issuance of pattadar pass books and title deeds in their favour, no material is placed on record to show that they were granted assignment pattas and those pattas are subsisting.

5. Having regard to the respective submissions, it is not possible to enquire into the dispute at this stage, as the material on record do not support specifically the claim of petitioners and the version stated by learned Government Pleader cannot be discredited.

6. Thus, the Writ Petition is disposed of granting liberty to the petitioners to make a detailed representation, within a period of two (2) weeks from the date of receipt of copy of this order, to the Tahsildar, enclosing all the documents in proof of their assignment and possession. On submission of such representation, the Tahsildar shall verify whether assignment was validly granted and said assignments are not cancelled. On such verification the Tahsildar, shall take up the exercise of demarcation and the demarcated extents of land shall be shown to the petitioners. Till such exercise is completed, the petitioners shall not be dispossessed from their respective assigned lands. However, petitioners shall not encroach into the land belonging to Government. If no such representation is made within the time fixed above, it is open to the Tahsildar, to take further course of action as per the process, already set in motion. Pending miscellaneous petitions, if any, shall stand closed.

P.NAVEEN RAO,J

24th December, 2019

Rds

