

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.836 of 2020

ORDER:

This writ petition is filed challenging the action of 3rd respondent in issuing proceedings dated 08.01.2020, holding that the petitioner has no right, title and possession in respect of lands under Sy.No.78/5 admeasuring Ac.2.00; Ac.2.00 in Sy.No.78/6; Ac.2.00 in Sy.No.78/11, situated at Rasheedguda Village, Shamshabad Mandal, Ranga Reddy District and for a consequential direction to the respondents 3 to 5 not to interfere with the peaceful possession of the petitioner in respect of the said lands.

Sri Vedula Venkata Ramana, learned Senior Counsel appearing for the petitioner submits that though petitioner is an assignee and has been granted title deeds and pattedar pass books and that though the name of the petitioner is entered in revenue records, without following due process of law, the respondents are trying to evict and interfere with the possession of the petitioner. He also submits that the Tahasildar cannot decide the title of the parties and that the impugned order is without jurisdiction.

Learned Special Government Pleader appearing for the Advocate General submits that the petitioner has purchased the subject lands from the assignee which is prohibited and that she has not filed any patta issued in her favour in respect of the subject lands. He also submits that since petitioner purchased the assigned lands, she was issued notice and thereafter order dated 14.06.2007 was passed and the same was also served on the petitioner; and that possession was also taken through 'panchanama'

in pursuance to the said order. He further submits that the petitioner has not challenged the said order dt.14.06.2007 and the same has become final.

Record is also placed before this Court by the respondents which show that order dt.14.06.2007 is passed against the petitioner through which the subject lands were resumed back. It is also shown possession was also taken through 'panchanama'.

Though, impugned order contains the reference of the 'pachanama' dt.17.08.2007, petitioner did not choose to challenge the resumption order.

Though the learned Senior Counsel for the petitioner alleges that the Tahasildar has no right to decide the title, a perusal of the impugned order shows that the Tahasildar has not decided the title as alleged by the petitioner, but only reiterated what has happened and also the order passed earlier.

In view of the same, I do not see any infirmity in the order dated 08.01.2020 passed by the 3rd respondent.

Accordingly, the writ petition is dismissed. No order as to costs.

As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY, J

10.01.2020
tk

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No. 836 of 2020

10.01.2020

tk