



WEB COPY



WA.No.2738/202

S.S.SUNDAR, J.

AND

K.RAJASEKAR, J.,

[Order of the Court was made by

S.S.SUNDAR, J.,]

Mr.G.Krishna Raja, learned Additional Government Pleader accepts notice on behalf of the respondents.

2.This Court *prima facie* found that the appellant satisfy G.O.Ms.No.1300 dated 30.04.1971 to get patta outside the purview of Act 26/1948. However, the learned Single Judge not only failed to consider the contents of the said Government Order but also failed to consider the findings of the Settlement Officer to the effect that the appellant's mother was in actual physical possession. Even though the possession of appellant's mother was termed as an encroachment, the fact that the Government has recognised such possession also for granting patta outside the purview of the Act 26/1948 is relevant.

3.Post on **24.09.2024.**

[S.S.S.R., J] [K.R.S., J]

12.09.2024

AP

Internet: Yes