

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.10964 OF 2010

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed to declare the action of the 4th respondent – Gram Panchayat, Ramanayyapeta, Kakinada, in trying to dispossess the petitioner from the vacant site of an extent of 600 square yards situate in R.S. No.69/1 and 2 in Ramanayyapeta village, Kakinada Rural Mandal, E.G. District, as illegal and arbitrary and consequently direct the respondents not to dispossess the petitioner from the said site without due process of law.

The case of the petitioner is that he is the owner of the above said vacant site having purchased the same under registered document, dated 19.01.2010, and since the date of purchase, he is in peaceful possession and enjoyment of the property. While so, the 4th respondent came to the vacant site and threatened the petitioner to vacate the said vacant site by removing the thatched shed erected by the petitioner by 03.05.2010 otherwise they would demolish the same. The petitioner approached the higher authorities and brought to their notice the action of the 4th respondent, but no action has been taken by them. Hence, he filed the present writ petition.

When the matter is taken up for hearing today, the learned Standing Counsel for the 4th respondent submitted that the petitioner is in possession of the property in question, that Gram Panchayat has filed a civil suit in O.S. No.327 of 2014 before the III Additional District Judge, Kakinada, against the petitioner for recovery of possession of the property and hence, there is no need to pass any orders in this writ petition.

Recording the said submission, the writ petition is disposed of.
There shall be no orders as to costs. Consequently, the
miscellaneous petition, if any pending, shall stand closed.

RAJA ELANGO, J

January 21, 2015.
KTL