

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH**

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WRIT PETITION No.29686 of 2015

BETWEEN

Vallamsetty Venkateswarlu.

... PETITIONER

AND

The State of Andhra Pradesh, rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad and others.

...RESPONDENTS

DATE OF JUDGMENT PRONOUNCED: 28.09.2015

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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| 1. | Whether Reporters of Local newspapers may be allowed to see the Judgments? | No |
| 2. | Whether the copies of judgment may be marked to Law Reporters/Journals? | No |
| 3. | Whether Their Ladyship/Lordship wish to see the fair copy of the Judgment? | No |

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ORDER:

Petitioner states he has constructed a house bearing H.No.3-34 on land admeasuring Ac.0.05 cents in Sy.No.236, Pusuluru village, Pedanandipadu Mandal, Guntur District and that for more than 50 years, the petitioner and his predecessors are in possession of the said small extent of land. Petitioner also states that he has obtained electricity connection, house hold card and aadhaar card showing that he is resident of the said house. Alleging that the third respondent is trying to dispossess the petitioner and demolish the said house, the present writ petition is filed.

2. On 11.09.2015, when the writ petition came up for admission, while issuing notice to the learned Government Pleader, this Court granted interim direction not to demolish the petitioner's house property.

3. Learned counsel for the petitioner and learned Government Pleader submit that this writ petition is similar to WP.No.29596 of 2015 disposed of today i.e. 28.09.2105.

In view of the said submission, the writ petition is disposed reiterating the directions in WP.No.29596 of 2015 as under:

"3. Today, the learned Government Pleader has received instructions, which state that Sy.No.236 admeasuring Ac.26.43 cents of Pusuluru village is classified as Inam Tank, which is called as Gandham Sambhudu Cheruvu and that an extent of Ac.26.00 cents is covered by water and an extent of Ac.0.43 cents is covered by encroachments. It is further stated that under the neeruchettu program, removal of encroachments is envisaged, but, as on today, no action is taken by the revenue authorities to remove the unauthorized occupations.

4. In view of the aforesaid instructions, it is evident that the petitioner has approached this Court merely on an

apprehension. However, it is made clear that if respondents 2 and 3 intend to take any action against the petitioner, they shall do so only after giving notice to the petitioner and after giving opportunity to the petitioner to submit an explanation and thereafter, shall pass appropriate orders.”

As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

September 28, 2015
DSK