

HON'BLE SRI JUSTICE SANJAY KUMAR

Writ Petition No.10791 of 2005

Date: 23.4.2015

Between:

B. Srinivasa Rao,
Kaikaluru Mandal,
Krishna District.

...Petitioner

And

The Collector and District Magistrate,
Machilipatnam,
Krishna District and others.

... Respondents

HON'BLE SRI JUSTICE SANJAY KUMAR

Writ Petition No.10791 of 2005

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ORDER:

This writ petition was filed assailing the action of the respondent-authorities in seeking to dispossess the petitioner from his house bearing D.

No. 2-5, Alapadu to Kolletikota Road Margin, Kaikaluru Mandal, Krishna District.

By order dated 29.4.2005, this Court granted interim stay of the demolition of the house in question without following the due process of law.

The Mandal Revenue Officer, Kaikalur Mandal, filed a counter affidavit wherein he stated that there were encroachments on the Eastern side of the road from Alapadu to Kolletikota. One of the encroachments cited in this regard was the alleged encroachment made by the petitioner upon an extent admeasuring Acs. 0.01 cents for the purpose of residence and hotel.

The learned Assistant Government Pleader for Revenue however states that no steps have been taken for removal of the alleged encroachment by the petitioner in accordance with law though the interim order permitted such steps being initiated.

In that view of the matter, the writ petition is disposed of directing the respondent-authorities to strictly adhere to the procedure laid down by law for the purpose of removal of any encroachments made by the petitioner in the subject land.

Pending miscellaneous petitions shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR,J

Date: 23rd April, 2015

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