

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 13315 of 2012

ORDER:

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Heard learned counsel for the petitioner and learned Government Pleader for Revenue appearing for the respondents. With the consent of the parties, the writ petition is disposed of at the admission stage itself.

The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of the respondents in trying to dispossess the petitioner from the land admeasuring Ac.0.50 cents in Survey No.317 situated at Chinnamuttevi Village, Muvva Mandal, Krishna District, as illegal and arbitrary.

The case of the petitioner is that he being a landless poor person was allotted land mentioned above by the 3rd respondent after due enquiry vide his proceedings Dis.No.316/97 dated 22.06.1997, and since then, he is in possession and enjoyment of the same. While things stood thus, on 26.04.2012 the 3rd respondent is said to have come to the land and tried to dispossess the petitioner. When the petitioner sought time for vacating the land, the 3rd respondent is said to have left the place. Immediately thereafter, the petitioner made a representation dated 27.04.2012 to the 1st respondent by marking copies of the same to the respondents 2 and 3, requesting them not to interfere with his possession over the land. It is however alleged that the 3rd respondent is trying to dispossess the petitioner from the land, without following the due process of law. The action of the respondents in trying to dispossess the petitioner from the land led to filing of the present writ petition.

On 03.05.2012, this Court, while ordering notice before admission, directed the parties to maintain status-quo with regard to

the possession.

No counter is filed by the respondents opposing the averments made in the writ petition, but however, the learned Government Pleader for revenue submits that no coercive steps will be taken against the petitioner, without following the due process of law, if the petitioner is in possession of the property.

Having regard to the circumstances stated above and without going into the merits of the case, the Writ Petition is disposed of, directing the respondents not to dispossess the petitioner from the land admeasuring Ac.0.50 cents in Survey No.317 situated at Chinnamuttevi Village, Muvva Mandal, Krishna District, without following the due process of law, if the petitioner is in possession of the property. There shall be no order as to costs.

Consequently, miscellaneous petitions if any pending in the writ petition shall stand dismissed.

JUSTICE C. PRAVEEN KUMAR

15th September, 2015
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