

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

WRIT PETITION No. 17954 of 2011

Between:

M. Chinna Mastanaiah and others

.. Petitioners

and

The District Collector, Nellore District
and others

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 22.07.2015

SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

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

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 17954 of 2011

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 both the parties, the main writ petition is heard and disposed of at the admission stage itself.

The averments in the writ petition are that all the petitioners are landless poor and belong to backward classes and schedule caste community. It is stated that the petitioners were granted house site pattas to an extent of Ac.0.04 cents each in Survey No.2235 situated at Ramadasu Satram, Sarvepally Bit-II, Venkatachalam Mandal, Nellore District, by the 4th respondent vide proceedings R.C.B.No.676/1991 dated 05.10.1991 and since then they are in possession of their respective plots. Later on, when disputes arose between them with regard to the boundaries, the petitioners made several representations to the 4th respondent seeking to conduct survey and demarcate the plots assigned to them. It is said that no orders are passed on the representations made by the petitioners. On the other hand, the respondents are making every effort to dispossess the petitioners from their plots on the ground that they would allot the same to others. Questioning the action of the respondents in trying to dispossess the petitioners without canceling the assignment made earlier in their favour and without issuing any notice to them, the present

writ petition came to be filed.

The 4th respondent filed counter denying the averments made in the writ petition and further stated that as the petitioners did not occupy the plots allotted to them in the year 1991, in Survey No.2235 situated at Ramadas Satram Village, an alternative piece of land was identified in Survey Nos.2270, 2330, 2208, 2282, 2283 and 2194 situated at Ramadas Kandriga Village and the same was assigned to them in which the petitioners are now residing by raising pucca houses under Indiramma Housing Programme. It is stated that the plots allotted to the petitioners in the year 1991 were subsequently allotted to the displaced persons on account of widening of National Highway-5 of Ramada Satram Village.

Recording the factual aspects stated in the counter filed by the 4th respondent, the Writ Petition is closed. There shall be no order as to costs.

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

JUSTICE C. PRAVEEN KUMAR

22nd July, 2015

cbs

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