

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 13443 of 2011

ORDER:

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Heard learned counsel for the petitioner and learned Government Pleader for Revenue. With the consent of both the parties, the main writ petition is being heard at the admission stage itself.

The present writ petition came to be filed seeking issuance of a writ of mandamus declaring the action of the respondents in trying to interfere with the peaceful possession and enjoyment of the petitioner in respect of the land admeasuring Ac.0.27 cents situated in Sy.No.168/1 of Allamadugu Village, Vedurukuppam Mandal, Chittoor District, as illegal, arbitrary and violative of Articles 14, 21 and 300-A of the Constitution of India; and consequently direct the respondents not to interfere with the possession of the petitioner in respect of the said land.

The petitioner herein claims himself to be in possession of the land admeasuring Ac.0.27 cents situated in Sy.No.168/1 of Allamadugu Village, Vedurukuppam Mandal, Chittoor District and recognizing his possession and enjoyment and cultivation of the property, the revenue authorities issued adangal pahani and also recorded his name in the revenue records. The petitioner is said to have paid cist for the said land and B Memo No.142/1/1411 was also issued in favour of the petitioner. While things stood thus, the respondents at the instance of local influential persons and contractors started harassing the petitioner and threatened him to vacate the land. It is stated that the petitioner raised a small thatched house in the said property and electricity connection was also given to the said hut. Challenging the action of the respondents in trying to evict the petitioner from the said land without following due process of law, the present writ petition came to be filed.

A counter came to be filed stating that the petitioner has unauthorisedly encroached on to the government land and dug a bore well.

The main grievance of the petitioner is that the respondents are trying to evict him without following the due process of law. The Government Pleader on instructions submits that steps will be taken for evicting the petitioner by following due process of law.

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 to follow due process of law before taking any coercive steps for eviction of the petitioner from the land admeasuring Ac.0.27 cents situated in Sy.No.168/1 of Allamadugu Village, Vedurukuppam Mandal, Chittoor District. No order as to costs.

Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE C. PRAVEEN KUMAR

18.08.2015
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