

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

WRIT PETITION No. 14000 of 2011

Between:

G. Sarojini

.. Petitioner

and

The District Collector, Visakhapatnam,
and another

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 22.07.2015

SUBMITTED FOR APPROVAL:

-

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

- | | |
|--|--------|
| 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. 14000 of 2011

ORDER:

-

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 would show that the petitioner purchased land admeasuring 744 square yards in Survey No.51/2P situated at Mithilanagar Layout, Kommaripalem Village, Golla Kommaripalem Area, Bheemunipatnam Mandal, Visakhapatnam District, through a registered sale deed dated 30.04.2008 for a valuable sale consideration and since then she is in possession and enjoyment of the same. It is stated that on the western side of the petitioner's land, her husband was also having site and they constructed a common compound wall for both the sites after obtaining approval from VUDA by paying necessary fee vide proceedings dated 23.02.2011. While things stood thus, on 15.04.2011, the 2nd respondent is said to have visited their land and tried to dispossess them stating that the land forms part of Government land. Questioning the said action of the 2nd respondent, the present writ petition came to be filed.

No counter is filed on behalf of the respondents. But

however, the learned Government Pleader for Revenue, on instructions, submits that the relief sought in the writ petition cannot be granted, as the land, which is the subject matter of dispute in the writ petition, forms part of Government land.

Having regard to the rival submissions made and without going into the merits of the case, the Writ Petition is disposed of, by directing the 2nd respondent herein not to dispossess the petitioner from her land admeasuring 744 square yards in Survey No.51/2P situated at Mithilanagar Layout, Kommaripalem Village, Bheemunipatnam Mandal, Visakhapatnam District, without following the due process of law, if she is still in possession of the same. 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

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 14000 of 2011

22nd July, 2015

cbs