

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

Writ Petition No.8789 of 2012

ORDER:

This writ petition is filed seeking the following relief/s:

‘....to issue a Writ, order or direction, more particularly one in the nature of writ of mandamus declaring the action of the respondents in making constructions by dispossessing the petitioner without recourse to law in the land an extent of Ac.0.02 cts in Sy.No.493/16B of Kothapeta (Village & Mandal), East Godavari District as illegal, arbitrary and violative of the principles of natural justice and consequently directing the respondents to allow the petitioner to stay in the said site to reach their property and pass such other order or orders.’

[Reproduced verbatim]

The learned counsel for the petitioner submits that the writ petitioner is having a site adjacent to the subject site, which is of an extent of Ac.0.02 cents in Sy.No.493/16B of Kothapeta Village and Mandal and that since the subject site is adjacent to his site, he had sought for grant of a patta to him in respect of the subject site and that the respondents are proceeding with construction of a rest room for farmers in the subject site and, therefore, the writ petitioner is aggrieved.

The learned Standing Counsel appearing for the 2nd respondent would submit that the writ petition is not maintainable and that if the petitioner is aggrieved, he has to approach competent civil Court or other appropriate forum and seek appropriate relief, which the law permits.

The learned counsel for the petitioner also would submit that the writ petition may be disposed of giving liberty to the petitioner to approach a competent civil Court or other appropriate forum and seek appropriate relief, which the law permits.

Accordingly, the Writ Petition is disposed of. The writ petitioner is at liberty to approach a competent civil Court or other appropriate forum, if he so desires and if so advised and seek the relief, which the law permits. No

costs.

Miscellaneous petitions pending, if any, in this writ petition shall stand closed.

M. SEETHARAMA MURTI, J

14.12.2015

Vjl