

**HON'BLE SRI JUSTICE C. PRAVEEN KUMAR**

**WRIT PETITION No. 17642 of 2012**

**ORDER:**

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As there was no representation on behalf of the petitioner on 09.09.2015 the matter was directed to be listed to today under the caption "for dismissal". In spite of the matter being posted under the caption "for dismissal", there is no representation on behalf of the petitioner either in the morning session or in the after noon session. Heard learned Government Pleader for Revenue.

The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of the respondents in trying to evict the petitioner from the land admeasuring Ac.1.39 gts., situated in Sy.No.71/27 of Aswaraopeta Village and Mandal, Khammam District without following due process of law, as illegal arbitrary and violative of principles of natural justice.

By an order dated 14.06.2012, this Court while posting the matter after one week to enable the Government Pleader to get instructions, directed the authorities not to dispossess the petitioner from the land admeasuring Ac.1.39 gts., situated in Sy.No.71/27 of Aswaraopeta Village and Mandal, Khammam District.

The averments in the affidavit filed in support of the writ petition would show that the petitioner claims herself to be the owner and possessor of land admeasuring Ac.1.39 gts., situated in Sy.No.71/27 of Awaraopeta Village and cultivating the same by raising paddy with the canal water of Ankamma Cheruvu. It is stated that the name of the petitioner was also entered in the revenue records and the revenue authorities also issued pattadar pass book and title deed in her favour. While things stood thus, at the instance of one Banala Ravi the second respondent and his subordinates came to the land of the petitioner on 07.06.2012 and demanded the petitioner and her sons to vacate the land and hand over the same to the second respondent within a week. The second respondent also threatened the petitioner and her sons stating that if they failed to hand over the possession he will initiate

proceedings under Section 145 Cr.P.C. It is stated that though the petitioner showed the pattadar pass books, revenue receipts and pahanies to the second respondent, he is alleged to have demanded the petitioner to vacate the land. Challenging the action of the second respondent in trying to dispossess the petitioner from the above said land without following due process of law the present writ petition came to be filed.

No counter is filed on behalf of the respondents but on oral instructions the Government Pleader for Revenue submits that the authorities will follow the procedure established under law and the same is still not affected. According to him the allegations made in the affidavit filed in support of the writ petition are all false and invented for the purpose of filing the writ petition.

Without going into the merits of the case and having regard to the circumstances stated above, the writ petition is disposed of directing the respondents not to dispossess the petitioner from the land admeasuring Ac.1.39 gts., situated in Sy.No.71/27 of Aswaraopeta Village and Mandal, Khammam District, if she is still in possession of the said land, without following due process of law. There shall be no order as to costs.

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

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**JUSTICE C. PRAVEEN KUMAR**

11.09.2015

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