

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

* * *

WRIT PETITION No. 26226 of 2015

BETWEEN

V.Yaswanthini and others

... PETITIONERS

AND

The State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue
Department and others

...RESPONDENTS

Date of Order pronounced: 21.08.2015

SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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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 his Lordship wish to see the
fair copy of the Judgment? | Yes/No |

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ORDER:-

Heard.

2. Petitioners claim that one V.Lakshamma was assigned land to an extent of Ac.3-99 cents in Survey No.251/1 of Vedantapuram Village, vide DKT Patta No.142/4/93 dated 06.05.1983 issued by the then Tahsildar, Chandragiri Mandal, Chittoor District. The said land was kept vacant uncultivated and the petitioners being landless poor persons and homeless approached the Tahsildar, Tirupati with a request to allot house site and thereby on the instructions of the Tahsildar, they constructed house in the said land and later various house numbers viz., 2-250, 2-334, 2-335, 2-340, 2-336, 2-250, 20341, 2-243, 2-0338, 2-245, 2-244, 2-339, 2-338, 2-242, 2-332, 2-328, 2-220, 2-219, 2-218, 2-217, 2-216, 2-215, 2-214, 2-213, 2-212, 2-210, 2-331, 2-276, 2-330 and 2-335 were allotted to the respective petitioners. Petitioners allege that they have been allotted Aadhar cards and their names were also enrolled in the voter's list. It is further stated that the fourth respondent along with his staff visited the site on 30.07.2015 and asked the petitioners to vacate. Questioning the action of respondent Nos.3 and 4, the present writ petition is filed.

3. Learned government pleader, on oral instructions from the fourth respondent, states that the said survey number is a water body and that respondent Nos.2 and 3 would follow due process of law if they intend to take any action against the petitioners.

4. In view of the said categorical statement, I deem it appropriate to dispose of the writ petition directing respondent Nos.3 and 4 not to take any coercive action including demolition of houses or dispossession of the petitioners from their respective houses and if any such action is warranted against the petitioners, respondent Nos.3 and 4 shall follow due process of law by issuing notices to the petitioners, give them opportunity of hearing, and after considering the same pass appropriate orders in accordance with law.

As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

August 21, 2015
LMV