

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

MONDAY THE TWENTYSIXTH DAY OF OCTOBER
TWO THOUSAND AND FIFTEEN

PRESENT
HONOURABLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION NO. 29469 OF 2015

Between:

Vasupalli Dannayya ... Petitioner

Vs.

The State of Andhra Pradesh
Represented by its Prl. Secretary
Home Department,
Secretariat, Hyderabad & Ors. ... Respondents

Counsel for the Petitioner: Sri N. Srihari

Counsel for the Respondents: GP for Home [AP]

The Court made the following: [order follows]

HONOURABLE SRI JUSTICE A.V. SETHA SAI

WRIT PETITION NO. 20469 OF 2015

ORDER:

This writ petition is filed under Article 226 of the Constitution of India for the following relief :

“To declare the action of respondents 3 and 4 in interfering with the possession and enjoyment of the property of the petitioner in an extent of Ac:0.93 cents in survey No. 294/2 of Kapuluppada in Bheemunipatnam Mandal, Visakhapatnam district, in collusion with the unofficial respondents 5 to 8 during pending civil disputes between the petitioner and unofficial respondents on the file of Hon’ble VII Additional Senior Civil Judge’s Court, Visakhapatnam and further threatening the petitioner with dire consequences of implicating in criminal cases, by misusing their official capacity as illegal, arbitrary, unjust and discriminatory against the principles of natural justice and also in violation of Article 21 and 300-A of the Constitution of India and consequently to direct the respondents not to dispossess the petitioner by interfering with his peaceful possession and enjoyment over the land in an extent of Ac:0.93 cents in survey No. 294/2 of Kapuluppada in Bheemunipatnam Mandal, Visakhapatnam district and to pass such other suitable orders as this court may deem fit and proper in the circumstances of the case.”

2. Heard Sri N. Srihari, learned counsel for the petitioner and the learned Government Pleader for respondents 1 to 4.

3. A counter-affidavit is filed on behalf of respondents 3 and

4. Para No.8 of the counter-affidavit reads as under:

“It is respectfully submitted that the contention of the petitioner herein that the petitioner herein approached this respondent office but this respondent along with unofficial respondents threatened the

petitioner to settle the issue with the respondents 5 to 8 or else the police will implicate the petitioner in false cases and further the contention of the petitioner that this respondent supported the respondents 4 to 8 to trespass into the above said land is incorrect, baseless, far from truth and has been created for the purpose of filing the present writ petition. It is submitted that the petitioner herein never approached this respondent office as alleged by him.”

3. While referring to the above said Para No.8 of the counter-affidavit, it is requested by the learned counsel for the petitioner herein to dispose of the writ petition by recording the same.

4. For the aforesaid reasons, the writ petition is disposed of by recording the averments made in Para No.8 of the counter-affidavit filed by the respondents 3 and 4.

5. As a sequel, miscellaneous petitions if any, pending in this writ petition shall stand closed.

JUSTICE A.V.SESHA SAI

26/10/2015
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HONOURABLE SRI JUSTICE A.V. SESHA SAI

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