

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

Writ Petition No.12551 of 2012

Date: 14-09-2015

Between:

Balatripura Sundaramma and 2 others

.. Petitioners

AND

The State of Andhra Pradesh, represented by
Its District Collector, Nellore and 6 others

.. Respondents

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

Writ Petition No.12551 of 2012

ORDER:

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Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue. With the consent of both the counsel, the writ petition is disposed of at the admission stage itself.

2. The present writ petition came to be filed seeking issuance of mandamus declaring the action of the respondents in seeking to dispossess the petitioners from their house Plot Nos.84, 147 and 127 respectively comprised in Survey Nos.2075, 2076 and 2077 (2076/1 to 6, 2075/2D, 2077/1C) situated in Nellore Bit-I, Panchayat area, Nellore Bit-I, Kothur village, Nellore Town, SPSR Nellore District, as illegal, arbitrary and unjust.

3. On 26-04-2012, this Court, while issuing notice before admission, directed the respondents not to dispossess the petitioner from their house sites situated in Sy.No.84, 147 and 127 respectively comprised in Survey Nos.2075, 2076 and 2077

(2076/1 to 6, 2075/2D, 2077/1C) situated Nellore Bit-I, Panchayat area, Nellore Bit-I, Kothur village, Nellore Town, SPSR Nellore District.

4. When the matter is taken up for hearing, the learned counsel for the petitioners submits that pursuant to the interim direction granted by this court, the petitioners are still in possession of the property.

5. No counter is filed by the respondents but on instructions the learned Government Pleader for Revenue submits that the petitioner will not be dispossessed from their property without following due process of law, if they are in possession.

6. Without going into the merits of the case and having regard to the submissions made by the learned Government Pleader and taking into consideration, the interim direction granted by this Court on 26-04-2012, the respondents are directed not to dispossess the petitioners from the lands in Plot Nos.84, 147 and 127 respectively comprised in Survey Nos.2075, 2076 and 2077 (2076/1 to 6, 2075/2D, 2077/1C) situated Nellore Bit-I, Panchayat area, Nellore Bit-I, Kothur village, Nellore Town, SPSR Nellore District, without following due process of law, if they are in possession of the same.

With the above direction, the writ petition is disposed of. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

C. PRAVEEN KUMAR, J

Date: 14-09-2015

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