

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

WRIT PETITION No. 17631 of 2011

Between:

Yelicherla Raghamma

.. Petitioner

and

The Tahsildar, Kavali Mandal, Nellore
District and another

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 18.08.2015

SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

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

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 17631 of 2011

ORDER:

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

The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of the 2nd respondent in interfering with the possession and enjoyment of the land admeasuring Ac.0.50 cents in Survey No.1846/1 situated at Kavali Bit-II, Kavali Mandal, Nellore District, as illegal and arbitrary.

The case of the petitioner is that she purchased the above-mentioned land from one Bellamkonda Ramanamma under an agreement of sale dated 12.01.1985, and since then, she has been cultivating the same by raising paddy crop. It is stated that the neighbouring land owners of the petitioner are laying plots, and with a view to provide a road to the said plots through the land of the petitioner, the 2nd respondent is interfering with the petitioner's possession and enjoyment of the land. On 20.06.2011, the 2nd respondent is said to have demolished the cement brick wall of the thatched house of the petitioner and also threatened to demolish the entire thatched house. Questioning the action of the 2nd respondent, the writ

petition is filed.

The learned Government Pleader for revenue, on instructions, submits that the subject land is a Government land, and as such, the petitioner has no right either to construct the thatched house therein or claim any title over the land.

The learned counsel for the petitioner submits that though the cement brick wall and the thatched hut were demolished, the petitioner is still in possession of the land. However, the learned counsel restricts his prayer seeking a directing to the 2nd respondent not to dispossess the petitioner from the land, without following the due process of law, for which the learned Government Pleader did not object.

Having regard to the circumstances stated above and without going into the merits of the case, the Writ Petition is disposed of, directing the 2nd respondent not to dispossess the petitioner from the land admeasuring Ac.0.50 cents in Survey No.1846/1 situated at Kavali Bit-II, Kavali Mandal, Nellore District, without following the due process of law. There shall be no order as to costs.

Consequently, miscellaneous petitions pending if any in the writ petition shall stand closed.

JUSTICE C. PRAVEEN KUMAR

18th August, 2015
cbs

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

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18th August, 2015

cbs