

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 18140 of 2011

ORDER:

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With the consent of both the parties, the main writ petition is disposed of.

Heard learned counsel for the petitioner and Government Pleader for Revenue.

The present writ petition is filed seeking issuance of a writ of mandamus declaring the action of the respondents in trying to dispossess the petitioner from the property admeasuring 80 cents in Sy.No.184/1 of Unikili Village, Mandavalli Mandal, Krishna District, as illegal, arbitrary and contrary to the provisions of Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977 and consequently direct the respondents not to disposes the petitioner without following due process of law.

The averments in the affidavit filed in support of the writ petition are as under:

The writ petitioner, who is the owner and possessor of land to an extent of Ac.11.00 situated in Sy.No.146, 147 and 18 of Unikili village, converted the said land into fish tanks. The writ petitioner requested Smt. Yesupogu Santhosham, Jakkula Mariyamma, Gogulamudi Raghupathi and Jakkula Vajramma to provide their land for the purpose of approach road to his land. The said persons agreed to change their lands in lieu of the patta land of the petitioner in R.S.No.4 to be provided to them. Thereafter, they have executed exchange deeds in the year 1991 and since then the petitioner is in possession and enjoyment of the property. It is stated that now the respondents, without issuing any notice, are trying to evict the petitioner from the property on the ground

that the said land is an assigned land. Hence, the writ petition.

By an order dated 30.06.2011 this Court while issuing notice before admission, ordered status-quo as of that day to be maintained until further orders. The learned counsel for the petitioner submits that a direction to the respondents to follow due process of law before initiating any action would suffice the purpose. Learned Government Pleader for Revenue states that he has no objection for the same.

Without going into the merits of the case and having regard to the circumstances indicated above, the respondents shall not evict the petitioner from the land admeasuring 80 cents situated in Sy.No.184/1 of Unikili Village, Mandavalli Mandal, Krishna District, if he is in possession, without following the due process of law.

With the above direction, the Writ Petition is disposed of. No order as to costs.

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

JUSTICE C. PRAVEEN KUMAR

22.07.2015
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