

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.15444 of 2015

Dated : 03.06.2015

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Between:

Sri Talari Ranganna S/o.Late Hanumanna,
Aged about 63 yrs, Occu : Agriculture,
R/o.Govardhanagiri village, Veldurthy Mandal,
Kurnool District.

.. Petitioner

And

State of Andhra Pradesh,
Rep., by its Secretary,
Endowments Department,
Secretariat, Hyderabad & 2 others

.. Respondents

This Court made the following :

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ORDER :

The petitioner claims to be in possession and cultivating the land to an extent of Ac.12.28 cents in Survey No.59 of Govardhanagiri village, Veldurthy Mandal, Kurnool District. The said property was taken on lease and he is paying the lease amount to the authorities. On earlier occasion when the authorities of Endowment Department and others tried to dispossess the petitioner, he instituted W.P.No.26699 of 2011. This Court by order dated 14.10.2011 granted interim order not to take any forcible action to dispossess the petitioner from the above stated lands. The said writ petition is still pending and the petitioner is under sufficient protection by way of an interim order granted by this Court.

2. This Writ Petition is instituted seeking the very same relief. The District Collector, Kurnool and the Tahsildar, Veldurthy Mandal, Kurnool District are arrayed as respondents 2 and 3 in this writ petition. The Tahsildar, was the 4th respondent in the above said writ petition.

3. Learned counsel for the petitioner refers to a letter dated 13.04.2015 addressed by the District Collector to the Tahsildar, Veldurthi, forwarding the complaints received by him under the Public Grievance Redressal Mechanism and asking him to look into the said grievance. The said letter does not refer to the land which the petitioner claims to be in possession and enjoyment. However, learned counsel refers to a letter dated 13.04.2015 addressed by one G.Nadipi Ayyaswamy complaining about not charging appropriate lease amount and that the person is illegally enjoying the said land. The said complainant is not a respondent herein.

4. Be that as it may. As seen from the material papers enclosed to the writ affidavit, as of now no action appears to have been taken by the Tahsildar and there is no order of evicting the petitioner from the land which he claims to be in possession and enjoyment. As noticed above, this Court has already granted an order not to take coercive steps against the petitioner in the said writ petition which is still pending consideration of this Court. Thus, as of now, it is premature on the part of the petitioner to allege forcible eviction of the petitioner and it is only an apprehension. Hence, the present writ petition is not maintainable and is liable to be dismissed.

5. Accordingly, the Writ Petition is dismissed at the admission stage. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand dismissed.

P.NAVEEN RAO,J

3rd June, 2015

Rds

