

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.3434 OF 2015

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ORDER:

This writ petition is filed by the petitioner seeking to declare the action of the respondents in attempting to demolish the petitioner's house bearing assessment No.453 and Door No.1-302 covered by Sy.Nos.143/1, 145/2 and 137/10 of Peddipalem Village, Anandapuram Mandal, Visakhapatnam District which was constructed under a plan approved by the fourth respondent and in demanding him to vacate the petitioner house without serving any notice, without giving him an opportunity of being heard, without passing or communicating any order of demolition or eviction as illegal, arbitrary and against the principles of natural justice and consequently direct the respondents not to interfere with his possession and enjoyment of the said house even by way of eviction or demolition.

The allegation in the writ petition is that the respondent authorities claiming the land to be the Government land and they are interfering with the peaceful possession and enjoyment of the property of the petitioner.

On instructions of the first respondent – Tahasildar, the learned Government Pleader for Revenue submits that the petitioner had encroached into the Government land and had illegally made constructions. For the purpose of ascertaining the extent of land encroached by the petitioner, respondent No.1 had visited the premises but by itself cannot construed as interfering

with the possession of the petitioner. Respondent No.1 is in the process of initiating proceedings seeking eviction proceedings and to recover the possession of the subject land from the petitioner. Respondent No.1 also assert that any action taken would be, in accordance with law.

Recording the said submission, the writ petition is closed.
There shall be no order as to costs.

Miscellaneous Petitions, pending if any in this writ petition, shall stand closed.

JUSTICE CHALLA KODANDA RAM

March 04, 2015

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