

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.27723 of 2010

ORDER:

This writ petition was filed challenging the action of respondents 1 to 3 in trying to remove the houses of petitioners situated in Survey No.368 of Nagulavellaturu Village, Chejerla Mandal, SPSR Nellore District.

A counter affidavit was filed by respondent No.1 stating that he never interfered nor tried to remove the houses of petitioners as alleged. It is stated that the Tahsildar, Chejerla Mandal issued a letter on 01.10.2010 stating that the Harijans of Nagulavellatur village represented before him that people belonging to Madiga caste were obstructing the procession of dead body pertaining to Harijans. In that connection, the Mandal Revenue Inspector-II, Mandal Surveyor and Village Revenue Officer visited the village on 19.08.2010 and directed the Harijans to go to burial ground through Survey No.368, which is classified as footpath in the diglot, and some law and order situation was created. Basing on the complaint, a case in Crime No.53 of 2010 was registered on 04.10.2010 and after completion of the investigation a charge sheet was filed on 28.10.2010 wherein petitioner No.2 was arrayed as A4. With respect to the allegation of removal of houses, it was categorically stated as follows:

“9. It is respectfully submitted that the allegation of the petitioner that this respondent tried to remove the house of the petitioners due to political pressure is incorrect, baseless and far from truth.

10. It is respectfully submitted that, as stated supra, this respondent has never interfered and tried to remove the houses of the petitioners in Sy.No.368 of Nagulavellaturu Village, Chejerla Mandal, SPSR Nellore

District at any point of time as alleged by the petitioners herein.”

In view of the averments made in the counter affidavit by respondent No.1, recording the same this Writ Petition is closed.
No order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

A.RAMALINGESWARA RAO, J

25.04.2016

MVA