

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.41179 of 2016

ORDER:

- 1) Heard learned counsel for the petitioners and Government Pleader for Revenue. With the consent of both the parties, the writ petition is taken up for disposal at the admission stage itself.
- 2) The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of the respondents in trying to dispossess the petitioners from the dry land situated in Sy.No.1051 of Thoomkunta Village, Veepangandla Mandal, Wanaparthy District, as illegal, arbitrary, violation of Article 14 of the Constitution of India and contrary to the principles of natural justice; and consequently direct the respondents not to dispossess the petitioners from the said land.
- 3) Though various grounds are raised learned counsel for the petitioners restricts his prayer seeking a direction to the respondents not to dispossess the petitioners from the land which is subject matter of dispute in the present writ petition, without following due process of law.
- 4) The Government Pleader for Revenue placed on record the instructions received by him, wherein it has been stated that the land to an extent of Ac.0.29 gts. in Sy.No.1051 which was being used by the villagers for cattle halt has already been handed over to the Electricity Department for erection of 33 KV Sub-Station.

He also placed on record a letter addressed to the District Collector, Wanaparthi by the Tahsildar, Weepanagandla to show that the Tahsildar, along with elders of the village, convinced the villagers to vacate the land and directed them to use the land adjacent to a Vagu for cattle halt, since there is no other alternate suitable land for construction of a 33 KV sub-station.

5) From the letter addressed by the Tahsildar to the District Collector, it is clear that the petitioners herein along with other villagers agreed to use land adjacent to the Vagu for cattle halt. In view of the above, the present Writ Petition is disposed of permitting the petitioners to use the land adjacent to the Vagu for cattle halt, which shall only be in accordance with law. There shall be no order as to costs.

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

JUSTICE C. PRAVEEN KUMAR

29.11.2016
gkv