

**THE HON'BLE SRI JUSTICE S.V.BHATT**

**WRIT PETITION No.6894 of 2011**

**ORDER:**

Heard Mr. V. Kishore for petitioners and learned Assistant Government Pleader (Assignments) for respondents.

2. Petitioners pray for the following relief:

“... to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents in dispossessing and / or demolishing the houses bearing Plot Nos. 1426V, 1419D, 1423V, 1425V, 425, 1418V, 1430V, 1427V, 1434, 1428V, 1420V, 1424V, 1808V, 1807V, 1809V, 1818, 385 and 1805 respectively admeasuring 9 Ankanams each, comprised in Survey No.9 and 10, situated at Kalluripalli Village of Nellore Mandal, Sri Potti Sriramulu, Nellore District covered under Patta Certificates dated December, 2005 issued by the 3rd respondent respectively without following due process of law, as illegal, arbitrary, highhanded, unjust, unreasonable, violative of principles of natural justice and fundamental and constitutional rights guaranteed under Article 14, 19, 21 and 300-A of the Constitution of India ...”

3. Petitioners claim that third respondent assigned house plots and when the assignment is subsisting and the petitioners are enjoying the property, the respondents are trying to either demolish the existing houses in the subject matter of the writ petition or dispossess the petitioners from the subject matter without recourse to law.

4. Learned Assistant Government Pleader, on the strength of written instructions dated 01.08.2016, states as follows:

- Ø The Hon'ble High Court of A.P., Hyderabad in its order in W.P.No.6894/2001, dated 18-03-2011 has issued notice to show cause as to why the writ petition should not be admitted and further made the following order:  
“if the assignments granted to the petitioners are intact as on today, they shall not be dispossessed from the lands covered by such assignment”.
- Ø On verification of office records, pattas were granted to the writ petitioners.

- Ø No action has been initiated so far for eviction/or demolition of the houses of the writ petitioners.  
The interim orders of the Hon'ble High Court of Andhra Pradesh, Hyderabad were also complied with.
- Ø On verification of ground status as on today, out of 18 plots, there are house constructions in 8 plots, construction up to walls in 9 plots and one plot remains vacant.
- Ø This writ petition was filed with the only apprehension of the writ petitioners that they will be evicted from their plots/or demolition of their houses."

5. From the instructions it is clear the writ petition has been filed without cause of action and I am satisfied the writ petition can be disposed of by placing on record the instructions received by the learned Assistant Government Pleader.

The writ petition is disposed of accordingly. As a sequel, the miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

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S. V. BHATT, J

August 4, 2016  
DSK