

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.35903 OF 2016

ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue appearing for respondents. With consent of the counsel appearing for both sides, the present writ petition is disposed of at the admission stage.

2 The present writ petition came to be filed with the following prayer:

“to issue a writ order or direction more particularly one in the nature writ of Mandamus declaring the in action of Respondents in removing the compound wall constructed by the 4th Respondent in and around the Petition Schedule land and closed the way to enter into Petition Schedule land as illegal, irregular, and against the principles of natural justice and offends Article 300-A of constitution of India and consequently direct the Respondents to remove the compound wall constructed in and around the Petition Schedule land so as to give way to the petitioners to cultivate their lands.”

3. Though various grounds are raised, learned counsel for the petitioners restricts his prayer seeking a direction to the respondents to consider the representation dated 04.05.2016 made by the petitioners for removal of compound wall constructed illegally.

4. Learned Government Pleader for Revenue submits that such a representation was not made to the Tahsildar, but it was made to the authorities, who are not competent to consider the same.

5. Having regard to the above, the petitioner shall make a fresh representation to the 4th respondent- the Tahsildar, Vizianagaram, within a period of ten (10) days, in which event, the same shall be considered in accordance with law, as early as possible preferably within a period of four (04) weeks from the date of receipt of a copy of this order, after giving an opportunity of hearing of the petitioners.

6. Accordingly, the Writ Petition is disposed of.

Miscellaneous Petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

Date:25.10.2016
INL

JUSTICE C. PRAVEEN KUMAR

