

THE HON' BLE SRI JUSTICE PRAVEEN KUMAR

WRIT PETITION No. 34915 of 2016

ORDER:

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

2. The present writ petition is filed seeking issuance of writ of Mandamus declaring the action of respondent Nos.3 and 4 in insisting the petitioners to vacate from their respective house site properties situated in an extent of Ac.1.49 cents in Survey No.40 of Pangidigudem Revenue Village in Dwaraka Tirumala Mandal of West Godavari District, as illegal, arbitrary, violative of Standing Orders 15 and 21 of A.P.Board of Revenue Standing Orders and Articles 14 and 21 of the Constitution of India.

3. The grievance of the petitioners appears to be that they were granted house sites in an extent of Ac.1.49 cents in Survey No.40 of Pangidigudem Revenue Village in Dwaraka Tirumala Mandal of West Godavari District, vide proceedings dated 05.02.2009, by following the provisions of Standing Order 21 read with 15 of A.P.Board of Revenue Standing Orders. While things stood thus, the second respondent issued a letter dated 23.10.2008 stating that houses would be constructed to the beneficiaries. It is stated that till date, the fourth respondent did not initiate any action for construction of houses. Subsequently, on 03.10.2016, fourth respondent visited the site of the petitioners and insisted them to vacate from their

respective sites for re-allotting the same to third parties, as instructed by politicians. Aggrieved thereby, the present writ petition is filed.

4. Learned Government Pleader would submit that no coercive steps to evict the petitioners will be taken, without following due process of law.

5. Without going into merits of the case and having regard to the above submission, the writ petition is disposed of directing the respondent-authorities not to take any coercive steps in evicting the petitioners from their house properties situated in an extent of Ac.1.49 cents in Survey No.40 of Pangidigudem Revenue Village in Dwaraka Tirumala Mandal of West Godavari District, without following due process of law.

6. Miscellaneous petitions, pending if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE PRAVEEN KUMAR

25.10.2016,
vhb