

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.41501 of 2016

ORDER:

This writ petition is preferred by the petitioner invoking Article 226 of the Constitution of India seeking to declare the inaction of respondents 2 to 4 in evicting the 5th respondent from the encroachments in Tank Porambok, Rastha Porambok and Kokilagutta in survey No.24/4 of Tenabanda Village, Chittoor Mandal and District, as illegal and arbitrary.

Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Revenue. With their consent, the writ petition is disposed of at the admission stage itself.

The grievance of the petitioner is that though the Collector and Revenue Divisional Officer instructed the Tahasildar to take action against the 5th respondent, except erecting a board in the subject land stating that the said land is a government land, no steps are taken so far. It is his case that the 5th respondent has occupied Acs.10-00 gts of government land and preventing the petitioner and other villagers from using the cart track for proceeding to their lands. Though various grounds are urged in the writ petition, the learned counsel restricts his prayer seeking action to be taken on the representation submitted by the petitioner to the authorities.

Learned AGP did not seriously dispute the same.

Having regard to the circumstances of the case, the Writ Petition is disposed of directing the Tahasildar to deal with the representation submitted by the petitioner and other villagers to

the 2nd respondent, which was forwarded to the Tahasildar for taking immediate action, and take necessary steps in accordance with law, after hearing the petitioner herein and 5th respondent, as early as possible, preferably within a period of six weeks from the date of receipt of a copy of this order.

Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

JUSTICE C. PRAVEEN KUMAR

30.11.2016

Note : Issue C.C. in three days.

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