

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.41772 OF 2015

ORDER:

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

2. The present writ petition came to be filed seeking issuance of writ of *mandamus* declaring the action of the 2nd respondent in trying to interfere with the possession of the petitioner's residence admeasuring 247 square yards situated in Sy.No.2/1, Plot No.42, D.No.39-33-50/4/5, near NSTL Compound wall, Phase-I, Madhavadara Vuda colony, Marripalem (post), Visakhapatnam, and declaring the said property as surplus land without issuance of any notice, as arbitrary and illegal and consequently direct the 2nd respondent not to dispossess the petitioner from aforesaid residence.

3. Though various grounds are raised by the petitioner in the writ petition, the counsel for the petitioner restricts his prayer seeking a direction to the 2nd respondent not to interfere with the property referred to above without following the due process of law.

5. Learned Government Pleader, on instructions, submits that the respondents are not interfering with the possession of the petitioner and the steps are being taken only to take possession of the land surrounding the land of the petitioner.

6. Recording the statement made by the learned Government Pleader, the Writ Petition is disposed of directing the 2nd respondent not to dispossess the petitioner from his property/residence i.e., admeasuring 247 square yards situated in Sy.No.2/1, Plot No.42, D.No.39-33-50/4/5, near NSTL Compound wall, Phase-I, Madhavadara Vuda colony, Marripalem (post), Visakhapatnam without following due process of law.

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

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JUSTICE C. PRAVEEN KUMAR

Date:06.01.2016

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