

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.21338 OF 2016

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ORDER:

This petition is filed for a writ of *Mandamus* declaring the action of the 3rd respondent in trying to dispossess the petitioners from their respective residential plots to an extent of Ac.0.2½ each in S.No.185/1, 185/4 of Damineedu Village, Tirupathi Rural Mandal, Chittoor District, without following due process of law, as illegal and arbitrary and for a consequential direction to the 3rd respondent not to dispossess the petitioners from their respective plots.

The case of the petitioners is that they were allotted land to an extent of Ac.0.02 ½ cents, each, in survey Nos.185/1, 185/4 and 209 and pattas were also granted to the petitioners by the 3rd respondent in the year 1998. While so, earlier, when the respondent authorities tried to evict the petitioners, they filed WP.No.14695 of 2014 and the same was disposed of by this Court directing the respondent to follow due process of law in the event of taking any action to dispossess the petitioners from the petition schedule land. In spite of the same the respondent authorities are trying to evict the petitioners. As such, the petitioners filed the present writ petition.

Learned Assistant Government Pleader for Revenue basing on written instructions, stated that the land in S.No.185/1 Ac.2.56 is classified as 'Vagu Poramboke'; S.No.185/4 Ac.2.50 classified as A.W.D and S.No.209 Ac.35.65 is classified as 'Kotramangalam Tank Water body'. The land in survey No.185/4 has been handed over to the A.P.Housing Corporation way back for construction of

the Indiramma Housing Scheme. With regard to the grant of house site pattas, such house pattas have not been granted to anybody for the subject lands.

W.P.No.14695 of 2014 filed by the petitioners was disposed of as follows:

“Learned Government Pleader submits that the respondents would follow the due process of law, if the petition schedule land is required for any public purpose. In the above facts and circumstances of the case, the writ petition is disposed of as under:- The respondents shall follow the due process of law in the event of taking any action to dispossess the petitioners from the petition schedule land. With the above direction, this writ petition is disposed of. The miscellaneous petitions pending, if any, shall also stand closed. No order as to costs.”

In view of the above facts and circumstances, the writ petition is disposed of directing the respondents to follow due process of law for evicting the petitioners. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

27.07.2016
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