

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.5479 of 2011

ORDER:

Heard Mr. V. Kishore for petitioners and learned Assistant Government Pleader (Assignments) for respondents.

2. Petitioners pray for the following relief:

“...to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in dispossessing and/or demolishing the houses bearing Plot Nos. 1556, 1026, 1555, 1025, 1069, 1774, 1027, 1028, 1029, 1023, 1003, 1004, 1005, 1009, 1010, 1813, 1814, 1815, 1820, 1821, 1822, 1824, 1825, 1007, 1771, 1843, 1057, 1433, 1109, 1108, 1261, 1259, 1092, 1093, 1404, 1033, 1031, 1032 and 1772 respectively admeasuring 9 Ankanams each, comprised in Survey No. 9 and 10, situated at Kalluripalli Village of Nellore Mandal, Sri Potti Sriramulu, Nellore District covered under Patta Certificates dated December, 2005 issued by the 3rd respondent respectively without following due process of law, as illegal, arbitrary, highhanded, unjust, unreasonable, violative of principles of natural justice and Fundamental and Constitutional Rights guaranteed under Article 14, 19, 21 and 300-A of the Constitution of India and consequently direct the respondents to follow the process of law in the interest of justice ...”

3. Petitioners claim that third respondent assigned house plots and when the assignment is subsisting and the petitioners are enjoying the property, the respondents are trying to either demolish the existing houses in the subject matter of the writ petition or dispossess the petitioners from the subject matter without recourse to law.

4. Learned Assistant Government Pleader, on the strength of telephonic instructions received from the respondents, states that neither the possession of petitioners is disturbed nor their houses are demolished.

5. From the instructions it is clear the writ petition has been filed without cause of action and I am satisfied the writ petition can be disposed of by

placing on record the instructions received by the learned Assistant Government Pleader.

The writ petition is disposed of accordingly. As a sequel, the miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

S. V. BHATT, J

August 4, 2016
DSK