

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.39847 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking to declare the action of the respondents in not implementing the order of respondent No.3 *vide* proceedings in Roc.No.E-154929/2016/C, dated 23.7.2016, with true spirit i.e., to enable the petitioner to do cultivation in an extent of Ac.3.83 cents in R.S.No.31/4 of P.Rajavaram Village, Jeelugumilli Mandal, West Godavari District as illegal and arbitrary and consequently, direct respondent No.5 to register a crime against the obstructers whose names are mentioned in the order of respondent No.3.

2. Heard and perused the material available on record.
3. Case of the petitioner is that he made an application to the District Collector, West Godavari District, Eluru in Meekosam programme stating that he owns the aforementioned land and one Soyam Kanthamma, Soyam Bodappa and Soyam Challamma are obstructing him to cultivate the said land and requested to give protection to his land; that *vide* proceedings, dated 23.7.2016, respondent No.3 directed respondent No.5 herein to take action against the obstructers and their supporters to enable the petitioner to cultivate his land, but till date, no such action has been taken by respondent No.5.

4. Learned Assistant Government Pleader for Home submitted that respondent No.5 has not received any such order as alleged by the petitioner.

5. Considering the submission of the learned Assistant Government Pleader, this Court is of the view that the writ petition can be disposed of with the following direction:

The petitioner is directed to communicate the order, dated 23.7.2016, of respondent No.3 to respondent Nos.4 and 5 through registered post with acknowledgment due and on receipt of the same, respondent Nos.4 and 5 shall take appropriate action in accordance with law.

6. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

7. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE RAJA ELANGO

5.12.2016
AMD

THE HONOURABLE SRI JUSTICE RAJA ELANGO



WRIT PETITION No.39847 OF 2016

Date: 5.12.2016

AMD