

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.34738 OF 2016

ORDER:

This Writ Petition under Article 226 of the Constitution of India is preferred by the petitioners seeking the following relief:

“ to declare the action of the respondents in issuing notice dated 04.10.2016 asking the petitioners to remove the walls of the petitioner's house in survey No.7, Kalluri pally, 25th division, Nellore, as illegal, arbitrary and violation of article 14 and 21 of the Constitution of India and consequently direct the respondents not to remove the walls of the petitioner's house situated in survey No.7, Kalluri pally, 25th division Nellore by setaside the impugned notice.”

Heard the learned counsel for the petitioners as well as the learned Government Pleader for Revenue (AP). With their consent, the Writ Petition is disposed of at the admission stage itself.

The main grievance of the petitioners in the writ petition is that the Tahasildar, Nellore, issued a notice dated 04.10.2016 demanding the petitioners to stop the construction work, which is being undertaken in survey No.7, by 06.10.2016 as the said land belongs to Government, failing which he threatened to demolish the walls on 07.10.2016.

Today when the matter is taken up, the learned Government Pleader, on instructions, submits that no notice dated 04.10.2016 was issued by the Mandal Revenue Officer and alleged notice filed before this Court is a fake one since it does not even contain the signature.

Recording the statement of the learned Government Pleader, the Writ Petition is disposed of as there is no threat as averred and therefore no further orders are necessary on this issue. There shall be no order as to costs.

Miscellaneous petitions pending in this writ petition, if any, shall stand closed.

C. PRAVEEN KUMAR, J

Date: 18.10.2016

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