

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.30698 OF 2016

ORDER:

Heard Sri P.Jagadish Chandra Prasad, counsel appearing for the petitioner and the learned Assistant Government Pleader for Assignments, appearing for the respondents.

2. The averments, in brief, are that on 21.3.2006 the 3rd respondent allotted land to an extent of Ac.0.02 cents in survey No.137/2A of Kamma Kandriga Village, Ramachandrapuram Mandal, Chittoor District, to the petitioner. The allotment vide proceedings No.130/2006, dated 21.03.2006, is subsisting as on date and the petitioner is in actual and physical possession of said house plot, constructed a house and living therein.

3. The complaint of the petitioner is that the 3rd respondent without recourse to law is trying to dispossess her from the subject matter of the writ petition.

4. The Assistant Government Pleader (Assignments), on instructions, submits that the 3rd respondent or his subordinates are not interfering with the possession and enjoyment of the petitioner's house plot covered by survey No.137/2A. The petitioner, under the guise of complaining against dispossessing her from the subject property, has filed the instant Writ Petition to protect encroachment in survey No.131/4. According to the Assistant Government Pleader, the petitioner is encroaching upon the land in survey No.131/4 without right or entitlement.

5. I have taken note of the submissions of counsel for the petitioner and the Assistant Government Pleader for Assignments. The statement made on behalf of 3rd respondent is placed on record and accordingly, the possession of the petitioner vis-à-vis land to an extent of Ac.0.02 cents in survey No.137/2A Kamma Kandriga Village, Ramachandrapuram Mandal, Chittoor District, shall not be disturbed, except in accordance with law. It is made clear that if the petitioner encroaches upon or enters into any other survey number, the protection granted through this order is not available and 3rd respondent is given liberty to take action and protect Government land.

6. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE S.V. BHATT

SEPTEMBER 12, 2016

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THE HON'BLE SRI JUSTICE S.V.BHATT



WRIT PETITION No.30689 OF 2016

Dt: 12.09.2016

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