

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION NO. 23830 of 2017

ORDER :

Heard both sides. With the consent of both parties the writ petition is disposed of at the admission stage.

2. The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of respondent No.2 in interfering with the construction work undertaken by the petitioner in the house site situated in Survey No.280 of Korada Village, Hiramandalam Mandal, Srikakulam District, admeasuring East to West 27 feet and North to South 21 feet, as illegal and arbitrary.

3. The averments in the writ affidavit would disclose that the petitioner who is in continuous possession and enjoyment of a vacant site situated in Survey No.280 of Korada Village, Hiramandalam Mandal, Srikakulam District, admeasuring East to West 27 feet and North to South 21 feet, was granted house site patta vide proceedings dated 17.06.2017. Subsequently, Grampanchayat also issued certificate to the effect stating that it has no objection to provide electricity connection to the house of the petitioner. Pursuant thereto, the authorities provided power connection. The grievance of the petitioner is that the second and third respondents are interfering with the property in dispute at the instance of fourth respondent. Hence the writ petition.

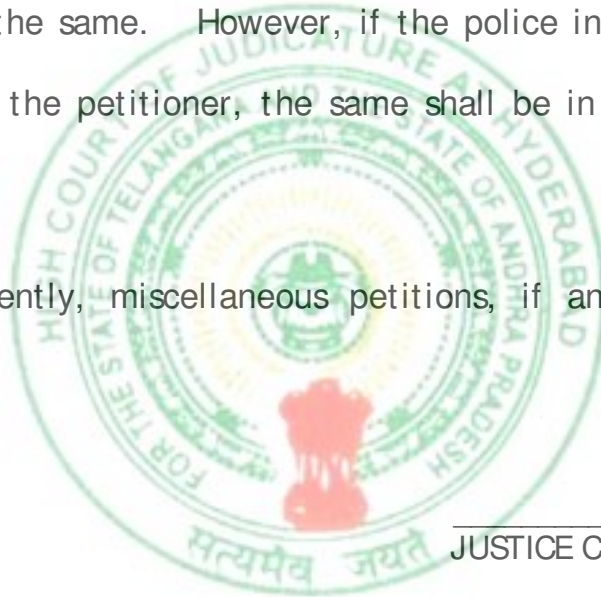
4. Learned Government Pleader for Home would submit that the allegations made in the writ affidavit are false and that the police are

not interfering with the disputes between the petitioner and the unofficial respondent. According to her, on a particular day, there was law and order problem and in respect of the same, the police went to the spot and initiated action in accordance with law. It is stated that there was no other interference by the respondents-police.

5. Having regard to the statements made across the Bar, the writ petition is disposed of directing the respondents-police not to interfere with the house site in question, if the petitioner is in possession of the same. However, if the police intend to take any action against the petitioner, the same shall be in accordance with law. No costs.

Consequently, miscellaneous petitions, if any pending, shall stand closed.

24.07.2017
vhb



JUSTICE C. PRAVEEN KUMAR