

WRIT PETITION No.25008 of 2017

ORDER :

This writ petition is filed under Article 226 of the Constitution of India, seeking the following relief:

“..to issue a writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS, declaring the action of respondents in contemplating to demolish and evict petitioners’ cattle sheds, hayricks etc., and site enclosed thereby admeasuring about Ac.0.40 cents in Survey Nos.467/ 1 and 465/ 2 of Kanumolu Revenue Village in Bapulapadu Mandal of Krishna District and also order in the form of notice dated 21-07-2017 in Roc.No.12/2017 issued by 5th respondent, without deciding objections dated 22-07-2017 submitted by the petitioners, as illegal, irregular, irrational without any authority of law and violative of provisions of Andhra Pradesh Panchayat Raj Act, 1994 and offends Articles 14, 21 and 300-A of Constitution of India and consequently direct the respondents not to interfere in any manner with possession of petitioners over the said properties and pass such other order or orders as this Hon’ble court may deem fit and proper in the circumstances of the case.”

Heard learned counsel for the petitioners and also learned Government Pleaders for Panchayat Raj, Revenue and Home appearing for respondents 1 to 3, 6 and 7 and Sri G.Seshadri, learned Standing Counsel appearing for respondents 4 and 5 and perused the prayer in the writ petition with supporting affidavit and other material on record.

It is the contention of the petitioners in support of the prayer of the writ petition from the affidavit that petitioners are owners of the property covered by Survey Nos.467/ 1 and 465/ 2 admeasuring Ac.0.40 cents situated in Kanumolu Revenue Village

in Bapulapadu Mandal of Krishna District, and the respondents are trying to take law into their hands, claiming as if, it is the encroached property in the possession of the petitioners.

Having regard to the above, the Writ Petition is disposed of directing the respondents to demarcate the land and if it is a Government land other than that of the petitioners, they shall remove the encroachment by following due process of law.

Consequently, miscellaneous petitions, if any, pending shall stand closed. No costs.

Date: 27.07.2017
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Dr. B. SIVA SANKARA RAO J,

