

HON'BLE SRI JUSTICE S. V. BHATT

W.P.No. 29047 of 2016

ORDER:-

Heard Sri C. Prakash, learned counsel for the petitioners and the learned Assistant Government Pleader for Assignment.

The writ petition is filed for the following substantive relief:

“....to issue a writ of mandamus declaring the action of the 4th respondent in trying to dispossess the petitioners from their lands in Sy.No. 56 to an extent of Ac.4.93 cents, situated at Kongalaveedu village, Badvel Mandal, Y.S.R. Kadapa District without following due process of law, as illegal, arbitrary and in violation of principles of natural justice besides violation of Articles 21 and 300-A of the Constitution of India and consequently direct the 4th respondent not to dispossess the petitioners from their lands in Sy.No. 56 to an extent of Ac.4.93 cents, situated at Kongalaveedu village, Badvel Mandal, Y.S.R. Kadapa District.”

The learned Assistant Government Pleader for Revenue places on record written statement dated 06.09.2016 and contends that the writ prayer is pre-mature and the respondents are not interfering with the possession and enjoyment of the petitioners in Sy.No.56. The written instructions relied upon read thus:

“I submit that Sri Annapureddy Ramasubbareddy and two others, Kongalaveedu(V) have remitted challan in Meeseva for survey of the land in Sy.Nos.53, 54 and 56 of Kongalaveedu village, Badvel Mandal. Then, the Mandal Surveyor, Badvel has issued notices to the adjacent pattadars, but they refused to take notices issued by the Mandal Surveyor, Badvel on 06.08.2016. While the Mandal Surveyor, Badvel is measuring the land in

Sy.No. 54 of Kongalaveedu village at the time of survey, Sri Kothapu Srinivasulareddy, Kongalaveedue village was obstructing the Surveyor not to survey the land as it is his possession and enjoyment long back. Hence, the Mandal Surveyor, Badwel returned to the office without doing survey. The 4th respondent has not taken any action to dispossess the land in Sy.No. 56 to an extent of Ac.4.93 cents of Kongalaveedu (V), Badvel Mandal, Y.S.R. District as alleged in the writ petition and not violated the principles of natural justice and also not violated Articles 21 and 300-A of the Constitution of India.”

The learned counsel for the petitioners requests the Court to place the statement on record and dispose of the writ petition.

The statement is placed on record and the writ petition is disposed of accordingly. No order as to costs.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.



S.V. BHATT, J

25.07.2017

bcj