

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.25838 OF 2017

DATED : 07.09.2017

Between :

Ambati Soma Raju S/o.Venkat Rao,
Aged 42 yrs, Hindu, Daily worker,
R/o.3032, Ramalayam Veedhi,
Edharapalli Village, Amalapuram Mandal,
East Godavari District.

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Petitioner

And

The State of Andhra Pradesh,
Rep., by its Principal Secretary,
Revenue Department,
Secretariat Buildings, 4th Block,
Ground floor, Room No.136,
Velagapudi, Amaravathi & others.

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Respondents



This court made the following :

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ORDER :

Heard.

2. Petitioner was granted house site in an extent of Ac.0.01 cent in Sy.No.104/2, Plot No.2 in Sy.No.104/2, 3 of Amalapuram Village, in the year 2013. In terms of the patta granted, petitioner was required to undertake construction of house within a period of one year. It appears petitioner did not make construction. Having realized that he has not made construction, overnight he has put up a shed and disclose itself as a house constructed and alleging demolition of the said house, this writ petition is filed.

3. The Tahsildar, Amalapuram, furnished written instructions to the learned Government Pleader. He admits the factum of assignment of land to the petitioner, but contends that petitioner has not complied with the terms of assignment granted and no house was constructed by him and the site was kept vacant covered with bushes. He has enclosed the photographs taken on the site which would disclose that the site is covered by bushes and kept it vacant.

4. Learned counsel for the petitioner sought to contend that construction was made and that is the house. He fairly admits that it does not have walls constructed around for a liveable area, where a person can live.

5. Learned counsel for the petitioner submits that if a reasonable time is granted petitioner will take immediate steps to construct the house and to occupy the same, by following due process.

6. Since the patta is not cancelled so far, and having regard to the fact that some construction was already made, liberty is granted to the petitioner to construct a pucca house with liveable amenities, within a period of three (3) months from the date of receipt of copy of this order. If such house is constructed by following the due procedure and intimation is given to the Tahsildar, Amalapuram, with supporting material, no coercive action shall be taken against the petitioner. However, if no house is constructed within the time granted, it is open to the Tahsildar to take action as warranted by law, and petitioner is not entitled to any further notice.

7. With the above directions, 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.

7th September 2017
Rds

P.NAVEEN RAO,J