

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.23522 OF 2017

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, came to be filed seeking to declare the action of the respondents in seeking to dispossess the petitioner from his land, without following due process of law, as illegal and arbitrary.

Heard the learned counsel for the petitioner and the learned Government Pleader for Social Welfare appearing for respondent Nos.1 to 3. With their consent, the Writ Petition is disposed of at the stage of admission itself. Since this Court is not going into the merits of the case, there is no necessity to issue notice to respondent No.4.

The case of the petitioner is that he is the owner and possessor of the land admeasuring Acs.4-26 cents in survey No.10/2 situated in Papampeta Village, Addateegala Mandal, East Godavari District. However, the respondents 2 and 3, at the instance of respondent No.4, are trying to evict the petitioner from the subject land, without issuing any notice. Questioning the said action of respondents 2 and 3, the present Writ Petition came to be filed.

Learned GP, on instructions, denies the allegations made by the petitioner in the affidavit filed in support of the Writ Petition.

Having regard to the above, without going into the merits of the case, the Writ Petition is disposed of directing the respondents-authorities not to evict the petitioner from the land admeasuring Acs.4-26 cents in survey No.10/2 situated in Papampeta Village,

Addateegala Mandal, East Godavari District, if the petitioner is in possession of the said land without following due process of law. If the respondents intend to take any steps against the petitioner, they shall do so in accordance with law.

Miscellaneous petitions pending in this writ petition, if any, shall stand closed. No costs.

C. PRAVEEN KUMAR, J

17.07.2017
sur

