

HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.5622 of 2017

ORDER:

Heard Sri Maheswara Rao Kuncheam for petitioner, the Assistant Government Pleader (Revenue) for respondents 1 and 2 and the Assistant Government Pleader (Roads and Buildings) for the 3rd respondent.

The grievance of petitioner is reflected in the writ prayer as follows:-

“.....to issue a writ, order or direction more particularly one in the nature of a Writ of Mandamus declaring the action of the Respondents 2 & 3 without following due process of law attempting to dispossess the Petitioner from the house bearing No.4-469, Maruthi Nagar, Bathalapalli Village and Mandal, Anantapuram District, as illegal, arbitrary and violation of Article 21 also violation of principles of natural justice and consequently direct the Respondents not to dispossess the Petitioner from the house bearing No.4-469, Maruthi Nagar, Bathalapalli Village and Mandal, Anantapuram District.....”

On 17-02-2017, this court protected the possession of petitioner.

The Assistant Government Pleader, on instructions, submits that the petitioner's husband was working in R&B Department and the construction of petition house is in the road margin. On the allegation of dispossession of petitioner or demolition of the house in the subject matter of the writ petition, he states that all the encroachments in the land of R & B Department will be removed

duly following the procedure prescribed under law by respondents and the writ prayer with these allegations is misconceived. The grievance is limited and having regard to the circumstances of the case, I am satisfied the writ petition can be disposed of by this order.

The statement of Assistant Government Pleader made on behalf of respondents is placed on record and the writ petition is disposed of as follows :-

The respondents are at liberty to initiate proceedings for removal of encroachments in accordance with law. Till the procedure is initiated and order is passed by respondents, the possession of petitioner shall not be disturbed.

Miscellaneous petitions, if any, pending, shall stand closed.

No order as to costs.

Dt: 02-06-2017
Prv

S. V. BHATT, J

