

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.26650 OF 2017

Dated:09.08.2017

Between:

Smt. Reddy Bangaramma,
W/o. Satyam, Aged about 72 years,
R/o.H.No.8-122, Pedanaidupalem,
Sabbavaram Village and Mandal,
Visakhapatnam District

.. Petitioner

And

The State of Andhra Pradesh, rep., by its
Principal Secretary (Revenue) Department,
A.P., Secretariat Office, Velagapudi,
and others

.. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.26650 OF 2017****ORDER:**

Petitioner claims that she is in possession and enjoyment of the land to an extent of Ac.1.50 cents in Survey No.255 of Sabbavaram Village and Mandal, Visakhapatnam District. She has been cultivating the said land by raising cashew plants and fruits to eke out her living. The possession and enjoyment of the said property is recognized by the authorities and her name is mutated in the pahani/adangal as occupant/encroacher of the land. While so, alleging that the petitioner is sought to be dispossessed from the subject land illegally and without following due process, this Writ Petition is filed.

2. The record would disclose that earlier ventilating the same grievance, petitioner filed W.P.No.17282 of 2010. The said Writ Petition was disposed of by order dated 03.08.2010 holding that if the petitioner is in possession of the land in question as on that date, the respondents should not take steps for her eviction otherwise than by due process of law. Thus, the grievance ventilated by the petitioner in the present Writ Petition is similar to the grievance made in the earlier Writ Petition and this Court has already directed the respondents not to dispossess her without following due process of law, however, this Court added the clause that 'if the petitioner is in possession'. In view of the order passed by this Court in W.P.No.17282 of 2010, the petitioner cannot ventilate the same grievance and allege that the authorities sought to dispossess her without following due process of law.

The Court cannot go on passing similar orders in successive Writ Petitions on the same issue. Thus, the Court is not inclined to entertain the Writ Petition.

3. The Writ Petition is accordingly dismissed leaving it open to the petitioner to work out her remedies to enforce the order dated 03.08.2010 passed by this Court in W.P.No.17282 of 2010, if so advised. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in the Writ Petition shall stand closed.

Date:09.08.2017
KH

P. NAVEEN RAO, J

