

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.23938 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 admeasuring Ac.1-47 cents in survey No.3 and Ac.1-29 cents in survey No.4 situated in Veerabhadrapuram Village, Addateegala Mandal, East Godavari District, without following due process of law, as illegal and arbitrary.

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Social Welfare appearing for respondents 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 R-4.

Though various grounds are raised in the writ petition, the learned counsel for the petitioner submits that the petitioner purchased the subject land in the year 1967 and from the date of grant of purchase, he has been in possession and cultivating the said land. The grievance of the petitioner is that without following due process of law and without giving any notice, respondents 2 and 3, at the instance of respondent No.4, are trying to dispossess the petitioner from the said land.

The learned Government Pleader opposed the said submission. However, he submits that any dispossession made shall be in accordance with law.

Having regard to the above circumstances and without going into the merits of the case, the Writ Petition is disposed of directing respondents 2 and 3 to follow due process of law, before taking any steps for dispossession of the petitioner from the land admeasuring Ac.1-47 cents in survey No.3 and Ac.1-29 cents in survey No.4 situated in Veerabhadrapuram Village, Addateegala Mandal, East Godavari District, if the petitioner is in possession of the land.

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

20.07.2017
sur

C. PRAVEEN KUMAR, J

