

HON'BLE SRI JUSTICE S. V. BHATT

Writ Petition No.24538 of 2017

ORDER:

Heard Ms Madhuparna Kannan for petitioners and the learned Assistant Government Pleader (Revenue) for respondents.

2. The petitioners complain threatened dispossession of petitioners from house plots allotted through proceedings No.200 & 201/ 2003 dated 20.08.2016 and 21.08.2016 covered by Sy.No.177 of Vankayalapadu Village, Edlpadu Mandal, Guntur District, without recourse to law, as illegal, arbitrary and unconstitutional.

3. At request of the Assistant Government Pleader (Revenue), the writ petition has been directed to be taken up today for admission. The 4th respondent, through the written instructions dated 25.07.2017, has stated thus:

“..It is further submitted that on request of the beneficiaries to handover the possession of the plots, survey work was conducted in the subject land and was found that the petitioners have encroached two of the plots which are already allotted to the other beneficiaries and constructed sheds in that. Hence, it was requested the petitioners to vacate the land but no forcible action was taken against the petitioners.

It is further submitted that no house site pattas are granted to the petitioners in the subject land and the proceedings No.200 & 201/ 2003 Dt.20.08.2016 and 21.08.2016 claimed by the petitioners that they have granted house site pattas are not at all true and no such proceedings are issued from this office.

It is further submitted that as the petitioners have encroached the government land hence notices under Andhra Pradesh Land Encroachment Rules, 1975 and will be issued to the petitioners and action will be taken accordingly by following the due process of law.”

4. From the above, it is clear that the occupation of house sites in Sy.No.177 of Vankayalapdu Village is admitted by 3rd respondent and he further undertakes to effect vacation of petitioners from the respective house plots only in accordance with law. The statement is placed on record and accepted.

5. The petitioners are given liberty, as and when a notice is issued, to raise all objections available in this behalf, including consideration of their cases, if they are found to be eligible for house plots. The 3rd respondent considers all aspects and passes orders, in accordance with law.

6. The writ petition is disposed of accordingly. No order as to costs. Pending miscellaneous petitions if any in this writ petition shall stand dismissed in consequence.

Date: 26.07.2017
BSS

S.V.BHATT, J



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