

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 23437 of 2014

ORDER:

1) The present writ petition came to be filed with the following relief:

“issuance of writ of mandamus declaring the action of the subordinates of respondent Nos.2 and 3 in causing his interference with the petitioner’s peaceful possession and enjoyment of house plots bearing Nos.7 and 8 admeasuring 777.77 square yards situated in Sy.No.154 of Joharapuram Village, Kurnool Municipal Corporation, Kurnool City and threatening to dispossess the petitioner from his lawful possession, without following the due process of law, as illegal and arbitrary; and consequently direct respondent Nos.2 and 3 not to interfere with the peaceful possession and enjoyment of the petitioner in respect of the above said land in any manner.”

2) By an order dated 20.08.2014, this Court while admitting the writ petition, passed the following order:

“It is stated that petitioner purchased plots bearing Nos.7 and 8 admeasuring 777.77 square yards situated in Sy.No.154 of Joharapuram village, Kurnool city by virtue of registered sale deed dated 03.01.2011 and since then he is in possession.

Learned Standing Counsel for the 2<sup>nd</sup> respondent submits that the officials of the 2<sup>nd</sup> respondent are not interfering with the petitioner’s plots.

In view of the same, there shall be *status quo*, obtaining as on today.”

3) When the matter is taken up for hearing Sri M.Pavindranath Reddy, learned Standing Counsel for the third respondent-Municipal Corporation would submit that the question of their interference would not arise, as the land is not handed over to the Corporation. The Government Pleader for Revenue denies the involvement of the revenue officials in illegal dispossession of the petitioner from the subject property.

4) Having regard to the above, the writ petition is disposed of, directing the respondents not to dispossess the petitioner from the subject property without following due process of law. However, if any action sought to be initiated, the same shall be in accordance with law.

5) There shall be no order as to costs. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

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JUSTICE C. PRAVEEN KUMAR

21.06.2017  
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