

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.26214 of 2017

DATED : 07.08.2017

Between :

Kotagiri Swaroopa W/o.K.Sreenivas,
Aged about 45 yrs, R/o.H.No.3-119, Plot No.3,
(Permanent H.No.3-284/20),
Bommuru Village, Rajamahendravaram Rural,
East Godavari District & others.

.. Petitioners

And

The State of Andhra Pradesh,
Rep., by its Principal Secretary (Revenue),
Department of Revenue,
A.P. Secretariat, Velagapudi,
Amaravathi, Guntur District & others.

.. Respondents



This court made the following :

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ORDER :

Heard.

2. Petitioners claim that under Indiramma Housing Scheme, they were identified as beneficiaries and were allotted house sites in R.S.No.385/2, Bommuru Village, Rajamahendravaram Rural, East Godavari District. Consequent to the said allotment, houses were constructed and petitioners have been living and they were also issued Aadhar card and electric power connection. Petitioners apprehend that on account of the proximity of the house sites allotted to the city, there is an attempt made to throw them out from the house sites allotted to them. Apprehending the same, this writ petition is filed.

3. Learned Assistant Government Pleader, on instructions, submits that no such attempt is made as alleged and that due process will be observed, if the petitioners are to be evicted from the alleged possession and enjoyment, if they are in possession and enjoyment of the subject properties.

4. The averments in the affidavit would only show apprehension of the petitioners of alleged eviction by claiming that they are in possession and enjoyment of the subject properties. Since there is no material to show that there is an attempt made, without following the due process to evict the petitioners and on instructions, learned Assistant Government Pleader, fairly submits that no such attempt is made, the Court is not inclined to entertain the writ petition and keep it pending.

5. Having regard to the above, the writ petition is disposed of. It is needless to observe that if the authorities are of the opinion that there was allotment of house site plots to the beneficiaries, and that beneficiaries have not utilized the house sites allotted and constructed the houses or not in possession and enjoyment, it is open to them to take appropriate course as warranted by law, by following due process including causing notice on the persons to whom such plots were assigned and/or in possession. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

7th August, 2017

Note : Issue c.c., in one week.

B/o.
Rds

P.NAVEEN RAO,J

