

HON'BLE SRI JUSTICE S.V. BHATT

W.P. No.21889 OF 2017

ORDER:

The petitioner prays for the following relief:

“...Writ of Mandamus declaring the action of respondent No.3 in interfering along with the unofficial respondents and trying to lay the road in respect of petitioner land to an extent of Ac.2-43 cents in Sy.No.113/2, 2A,3 & 4a situated in Nidamaru Village, Pedanindrakolanu Mandal, West Godavari District of Andhra Pradesh as arbitrary, illegal and colourable exercise and misuse of powers contemplated under law and violation of Article 300-A of the Constitution of India and consequently direct the respondents not to interfere without following due procedure in the interest of justice...”

The prayer refers to 3rd respondent inspecting the subject matter of writ petition at the instance of respondents 4 to 6. The writ petition has been adjourned from yesterday to today to enable learned Assistant Government Pleader to get instructions on the allegation of interference by respondent No.3 in the private property of petitioner. The Assistant Government Pleader submits that the petitioner is proposing to convert the agricultural land into a fish tank, no doubt, after obtaining permission from the competent authority. The change of physical features is objected to by respondents 4 to 6 by filing a representation before respondent No.3. Therefore, the 3rd respondent has called for a report and inspected the subject matter of writ petition and the allegations of interference in private property etc. are incorrect. The statement of Assistant Government Pleader is placed on

record. If the petitioner has a grievance of interference in the patta land of petitioner or respondents 4 to 6 are preventing the petitioner from converting her agricultural land into fish pond, the remedy open against such a situation is to file suit before the competent Court. In the considered view of this Court, on apprehension, the present writ petition is filed. The writ petition fails and is dismissed. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

Date: 05.07.2017
Sp



S.V.BHATT, J