

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 29979 of 2013

ORDER:

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

“issuance of writ of mandamus declaring the action of the respondent authorities in threatening to dispossess the petitioner from plot No.162 admeasuring 40 x 26 in Sy.No.28/ 1 of Dinnedevarapadu Village, Kurnool Mandal and District, without issuing any notice and without following the due process of law, as illegal and arbitrary; and consequently direct the respondents not to dispossess or in any manner interfere with the peaceful possession and enjoyment of the petitioner over the said plot.”

2) By an order dated 17.10.2013 this Court while admitting the writ petition, passed the following order:

“It is stated by the petitioner that he is the absolute owner and possessor of an open plot bearing No.162 admeasuring 40 x 26 in Sy.No.28/ 1, situated at Dinnedevarapadu Village, Kurnool Mandal, Kurnool District, having purchased the same from the Government on payment of Market Value and patta certificates was issued vide R.C.No.B594/ 2001, dated 01.11.2002. In view of the same, there shall be a direction to the respondents not to interfere with the possession and enjoyment over the said plot of land except in accordance with the procedure prescribed by law.”

3) When the matter is taken up for hearing Sri M.Ravindranath Reddy, learned Standing Counsel for the third respondent-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.

JUSTICE C. PRAVEEN KUMAR

21.06.2017
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