

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.28720 OF 2017

DATED : 28.08.2017

Between :

Upputholla Nageswara Rao, S/o.Late Sri U.Venkateswarlu,
Aged about 48 yrs, Occu : Agriculture Labour,
R/o.Palvai Gate, Rentachintala Mandal,
Guntur District.

..

Petitioner

And

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

...

Respondents



This court made the following :

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.28720 OF 2017

ORDER :

Heard.

2. Petitioner claims that land in Sy.No.692 of Mutukuru Village, Durgi Mandal, Guntur District, is a government land. He applied for assignment of residential plot in his possession and enjoyment for several years and wherein they have put up a hut and living. After enquiry, the residential certificate was granted on 11.05.2007 for the residential plot to an extent of 94 Square yards in D.No.692 of Mutukuru Village, Durgi Mandal, Guntur District. Recently the house collapsed and therefore, petitioner shifted his family temporarily to a different address. On 27.06.2017, some third parties along with anti social elements tried to interfere with his possession and enjoyment. Therefore, he filed a complaint with the police. Petitioner now alleges that respondents 3 and 4 also directed him to vacate the land in his physical possession.

3. In this writ petition petitioner seeks declaration of the action of the respondents and their subordinates in trying to interfere with his possession and enjoyment without following the due procedure.

4. The complaint filed by the petitioner to the Sub-Inspector of Police, Station House Officer, Durgi Police Station on 27.06.2017 would disclose that some private persons are trying to interfere with his possession and enjoyment and that they are threatening him with dire consequences, if he enters into the subject land. The

grievance that was agitated before the police is entirely different from what is now sought to be contended in this writ petition.

5. If petitioner was granted possession certificate and if the same is not cancelled, there can be no good reason for the petitioner to contend that he is sought to be evicted by the Tahsildar. No other material is brought on record to show that the revenue authorities are interfering with his possession. For the complaint filed before the police that private parties are interfering and threatening him with dire consequences, petitioner has to work out his remedies as available in law. I see no reason to grant the relief as sought for at the present stage.

6. Thus, leaving it open to the petitioner to work out his remedies against private parties and also to make appropriate application before the competent authority regarding possessory claim of the subject property, the writ petition is dismissed. There shall be no order as to costs.

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

28th August, 2017
Rds

P.NAVEEN RAO,J