

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.518 OF 2017

ORDER:

Heard the learned counsel for the petitioner; the learned Government Pleader for Revenue appearing for respondents 1 to 4 and Sri Cheemalapati Ravi, learned Standing Counsel for Grampanchayat, appearing for respondent No.5. With their consent, the present writ petition is disposed of at the admission stage.

2. The present writ petition came to be filed with the following prayer:

“...to issue a writ order or direction more particularly one in the nature of writ of mandamus declaring the action of the 4th respondent in issuing the notice in RCB 743/2016 dated 21.12.2016 for evicting the petitioner from the land to an extent of 5 ankanams (0.84 cents) in Sy.No.799/B of Chiramana Village, A.S.Peta Mandal, SPSR Nellore District, is highly illegal, arbitrary without jurisdiction and amounts to non-application of mind and consequently set aside the same.”

3. Though various grounds are raised in the writ petition, learned counsel for the petitioner submits that pursuant to the notice dated 21.12.2016, the petitioner herein submitted an explanation on 29.12.2016. It is the case of the petitioner that without considering the explanation submitted, the respondent authorities are trying to dispossess/evict the petitioner from the subject property.

4. Learned Government Pleader for Revenue would submit that a suitable direction may be given to the authorities to consider the explanation submitted by the petitioner and pass appropriate orders thereon, provided the same is still pending consideration.

5. Having regard to the submissions made, the Writ Petition is disposed of directing the 4th respondent- Tahsildar, A.S.Peta (M), SPSR Nellore District, not to take any steps of dispossession in respect of the land to an extent of 5 ankanams (0.84 cents) in Sy.No.799/B of Chiramana Village, A.S.Peta Mandal, SPSR Nellore District, till the orders are passed on the explanation dated 29.12.2016 submitted by the petitioner to the notice dated 21.12.2016.

Consequently, Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

JUSTICE C. PRAVEEN KUMAR

Date:05.01.2017

Note: Furnish CC by tomorrow
(B/O)
INL