

HON'BLE SRI JUSTICE S.V. BHATT

W.P.No.19787 OF 2015

ORDER:

The petitioner complains against the threatened dispossession from house bearing No.1-22 Chakipalli Village, Tekkali Mandal, Srikakulam District, without recourse to law, as illegal and unconstitutional.

The 3rd respondent filed counter affidavit and by way of reply has stated thus:

“In reply to para 5 of the affidavit, it is submitted that we have no intention to evict any constructed house in Chakipalli Village or to dispossess anybody. We have never warned petitioner regarding this issue. The question of political pressure and their interference does not arise as we have no intention of dismantle any constructed house.

In reply to para 6 of the affidavit, it is humbly submitted that the question of giving notices does not arise as we are not going to evict anybody from the house No.1-22 as well as house No.1-23 in Chakipalli. We have no intention to enter into anybody's private properties.

In reply to para 8 of the affidavit, it is submitted that the petitioner have encroached Government Land in the Sy.No.83-15 of Chakipalli which is classified as Rallagutta to an extent of Ac.0.07½ cents. He is trying to encroach the remaining land in above said Survey number by showing a fabricated patta. The petitioner has filed this Writ Petition with a mal intention to grab the Govt. Land in Sy.No.83-15”.

From the above, it is clear that the respondent is not interfering with the possession and enjoyment of door number referred above and likewise they are preventing the petitioner from encroaching into Government land in Sy.No.83/ 15 of Chakipalli.

The statement of 3rd respondent is placed on record and the possession of petitioner of house bearing No.1-22 is not disturbed except in accordance with law. Likewise, the 3rd respondent is always free to initiate action if government land is encroached or threatened to be encroached by petitioner.

The writ petition is, accordingly, disposed of. There shall be no order as to costs.

Consequently, pending miscellaneous petitions, if any, also stand disposed of.

12th June, 2017

Lrkm



S.V.BHATT, J