

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.35029 OF 2017

Dated:24.10.2017

Between:

Kommu Sharamma, W/o.Veeraiah,
Age 45 years, Occ: Cooli,
R/o.D.No.2-67, Ullipalem Village,
Koduru Mandal, Krishna District

.. Petitioner

And

The State of Andhra Pradesh, rep., by its
Principal Secretary, Revenue Department,
Secretariat, Velagapudi, Guntur District
And others

.. Respondents



The Court made the following:

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ORDER:

Heard.

2. Petitioner alleges that about 20 years back her husband got constructed a house bearing No.2-67 in Survey No.109/2 of Ullipalem Village, Krishna District. According to petitioner, the said land is Gramakantam land. She alleges that her family is living in the said house. While so, on 10.10.2017, the Tahsildar, Koduru Mandal, Krishna District, with their staff came to the house and informed the petitioner that she is occupying the Government land and asked to vacate the same within a week. She claims that the said action is initiated at the instance of respondents 3 and 4, who are none other than her brother and sister-in-law. Due to family disputes, respondents 3 and 4 are inimical to the family of the petitioner and they are instigating the Tahsildar to take action against her. She alleges that the Tahsildar is taking action without following due process at the instance of respondents 3 and 4.

3. In support of the contention that she is in possession of the subject house, she placed reliance on the document issued in her favour enclosed as Ex.P3. Representation dated 12.10.2017 addressed to the District Collector, Machilipatnam, is enclosed as Ex.P1. The contents of the representation would show that her brother and sister-in-law are threatening to vacate the house and to kill her and her children. She complains that even though a complaint is filed before the Sub Inspector and Tahsildar, no

action is taken. Copy of the representation is also marked to the Superintendent of Police, Machilipatnam, Krishna District. Thus, the contents would disclose that the grievance of the petitioner is against her brother and sister-in-law. Though in the affidavit filed in support of the Writ Petition, an allegation is made that the Tahsildar visited the house of the petitioner on 10.10.2017 and threatened her, but there is no reference about the said incident in representation submitted by her on 12.10.2017. In fact, representation states that the issue of threat by her brother and sister-in-law was informed to the Tahsildar. Thus, the contents of the affidavit and the material do not disclose the alleged interference by the respondent authorities of the State and there appears to be a private dispute between the petitioner and the unofficial respondents 3 and 4. If that is so, the petitioner has to work out her remedies as available in law and in the guise of settling private dispute, she cannot involve the State authorities to invoke the jurisdiction of this Court under Article 226 of the Constitution of India.

4. The Writ Petition is accordingly dismissed leaving it open to the petitioner to work out her remedies as available in law, if she has any grievance against respondents 3 and 4 and any other grievance against the respondent authorities. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in the Writ Petition shall stand closed.

P. NAVEEN RAO, J

Date:24.10.2017

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