

HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

WRIT PETITION No.43180 of 2017

ORDER:

This writ petition is filed seeking verbatim the following relief/s:

‘...to issue an order/direction or any appropriate writ, more particularly one in the nature of WRIT OF MANDAMUS to declare the action of the respondents in interfering with my peaceful possession and enjoyment of agricultural land admeasuring an extent of Ac.01.90 cents in Sy.No.1320-1, situated at Singirigunta Village, Chowdepalli Mandal, Kondamarri, Chittoor District by digging the boundary wall across the land, without issuing notice and without following the procedure, is illegal, arbitrary, unconstitutional and contrary to Article 14, 21 & 300A Constitution of India and consequently, direct the respondents not to interfere with peaceful possession and enjoyment agricultural land of petitioner, in any manner, in the interest of justice and pass such other order or orders...’

The submissions and grievance of the writ petitioner are as follows: -

‘She was granted agricultural land patta in the year 2012 *vide* File No.AMNO24/4/2012, dated 25.10.2012, under G.O.Ms.No.840 Revenue (Assignments-1) Department, dated 04.12.1999. A pattadar pass book was issued to her by the Tahasildar, Chowdepalli Madnal, Chittoor District. The property was mutated in her name. She also obtained electricity service connection to the bore-well which was established in the said land. The petitioner also has taken crop loan from the Corporation Bank in the year 2016. While she was peacefully enjoying the property, the 3rd respondent started digging her neighbour’s land, which was also granted to the neighbour in a similar way. Therefore, apprehending illegal interference by the 3rd respondent, an objection was raised by the petitioner. Further, she submitted a

representation, dated 14.12.2017. Since no action is taken, the present writ petition is filed.'

Learned Government Pleader appearing for the respondents 1 & 3 would submit that the afore-stated representation of the petitioner would be considered and disposed of in accordance with the procedure established by law.

Learned counsel for the petitioner endorses the said submission.

Recording the submissions, the Writ Petition is disposed of directing the 3rd respondent to consider and dispose of the representation, dated 14.12.2017, of the petitioner, within four (04) weeks from the date of receipt of a copy of this order, however, in strict accordance with the procedure established by law and communicate the decision taken thereon to the petitioner within a week thereafter. Till such exercise is completed, the respondents shall not interfere with the subject property of the petitioner.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

M. SEETHARAMA MURTI, J

18.12.2017

Note: Issue CC by 19.12.2017.

[B/o]

Vjl