

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.3648 of 2018

ORDER:

Heard the learned Counsel for the petitioner.

It is the case of the petitioner that a house site patta was issued to her on 21.07.2009 by the fourth respondent for an extent of Ac.0.02½ cents of land in Survey No.217-5 of Ammavaripeta Village, Venkatagiri Municipality. She states that she raised a thatched house with permanent walls and residing there along with her husband and two daughters. Her house was assessed to municipal taxes also. While so, the house was damaged due to natural calamities and she submitted an application to the Venkatagiri Municipality for permanent house. The Municipality sanctioned the house and included her name in the list of beneficiaries. Now the petitioner states that the fifth respondent came to the vacant site and interfered with the said site. The petitioner states that the fifth respondent is a financially sound and politically influenced person and she is apprehending danger in the hands of the fifth respondent. In those circumstances, she states that she submitted a representation on 20.12.2017 to the fourth respondent to take action against the fifth respondent. She further states that on 27.01.2018 when she went to the vacant house plot for the purpose of construction of the house, the fifth respondent entered the site and threatened her and her husband. She states that she lodged a complaint on

27.01.2018 to the Station House Officer, Venkatagiri, through registered post with acknowledgment due. Now the present Writ Petition is filed challenging the action of respondent Nos.2 to 4 in not considering the petitioner's representations dated 20.12.2017 and 27.01.2018.

A reading of the representation dated 20.12.2017 shows that there was an attempt by the fifth respondent to interfere with the petitioner's property which was originally assigned in her favour in the year 2009. The representation dated 27.01.2018 is also to the same effect. If the petitioner is apprehending any interference by the fifth respondent, the remedy of the petitioner is elsewhere, but not filing a Writ Petition to consider the representations submitted to the authorities. If the property was already assigned, it becomes the private property of the petitioner and it is the responsibility of the petitioner to protect such property.

The Writ Petition is not maintainable, and the same is, accordingly, dismissed. However, this will not prevent the petitioner from invoking appropriate remedies in accordance with law. The miscellaneous petitions pending in this Writ Petition, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

06.02.2018
vs