

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.3778 OF 2018

ORDER:

This writ petition is filed, under Article 226 of the Constitution of India, for the following relief:

“to issue a writ order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents in interfering and encroaching into the agricultural land of the petitioner admeasuring Ac 0-80 Cents in Sy.No.166/3 situated at Ramakrishnapuram Village, Palasa Mandal, Srikakulam District without any due process of law as illegal, arbitrary, unjust and violative of Articles 14, 19, 21 and 300-A of Constitution of India besides being violative of principles of natural justice and consequently direct the respondents herein not to interfering and encroach with the petitioners land admeasuring Ac 0-80 Cents in Sy.No.166/3 situated at Ramakrishnapuram Village, Palasa Mandal, Srikakulam District without following due process of law and to pass”.

2. The petitioner states that he is a handicapped person with disability of 65%. He was assigned the land to an extent of Acres 0.80 cents situated in Survey No.166/3 of Ramakrishnapuram Village, Palasa Mandal, Srikakulam District, by the 4th respondent vide his proceedings of May, 1994. He states that he constructed a small house and a compound wall around the said land and was growing teak trees, coconut trees, mango trees and other trees for eking out his livelihood. He submitted an application to the 4th respondent for grant of Pattadar Pass Books and Title Deeds and accordingly, they were issued. While so, in the

3rd week of December, 2017, the subordinates of the 4th respondent measured the land for the purpose of taking over the property. Again, they came back on 21.01.2018 along with the labour and bull dozers for demolishing the compound wall. Then, he gave a representation to the 2nd respondent through Meekosam Platform against the illegal action of the respondent Nos.3 to 5 in attempting to grab his property. In spite of the same, the respondent Nos.3 to 5 are attempting to interfere with the said property.

3. In view of the above facts, this Court feels that the present case needs be disposed of instead of keeping pending and is accordingly disposed of, directing the respondent Nos. 3 to 5 not to interfere with the possession of the property of the petitioner, which was covered by 'D' Form Patta issued way back in the year 1994, without following due process of law.

4. Miscellaneous petitions pending consideration, if any, in the Writ Petition shall stand closed in consequence. No order as to costs.

A.RAMALINGESWARA RAO, J

07.02.2018
SS