

THE HON'BLE SMT JUSTICE KONGARA VIJAYA LAKSHMI

Writ Petition No.13169 of 2013

Order:

This Writ Petition is filed seeking a direction to the respondents not to interfere with the peaceful possession of the petitioners in respect of the houses situated in Survey No.52 of Gajuwaka, Visakhapatnam without following due process of law.

The case of the petitioners is that they purchased the subject plots under registered sale deeds and that they are in possession of the same by constructing houses and paying taxes to the respondents regularly. It is also their case that they along with others have submitted proposals to the revenue department for regularization of their house sites and that the matter is still under consideration by the revenue department. While the matter stood thus, the officials of the second respondent are interfering with their peaceful possession without following due process of law. It is the case of the petitioners that they have been in possession of the house sites by constructing houses since more than 30 years by paying taxes, electricity and water bills etc.

Even though the averment in the writ petition shows that the petitioners have submitted proposals to the revenue department seeking regularization of their house sites, the copy of the same is not filed along with the writ petition. Neither the Revenue Divisional Officer nor the District Collector is made as parties to the Writ Petition. According to the writ affidavit, the petitioners are paying taxes, electricity and water bills etc., to the subject properties for the last 30 years, but they did not file a single receipt or bill along with the writ petition. Even the copies of sale deeds are also not filed along with the writ petition.

In view of the same, it is open to the petitioners to file appropriate representations before the appropriate authorities for consideration of their cases in accordance with law.

The Writ Petition is, accordingly, disposed of. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

KONGARA VIJAYA LAKSHMI, J.

Date: 17.12.2018
Nsr



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