

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.11725 OF 2018

Dated:10.04.2018

Between:

Smt.Palavalasa Hemalatha,
W/o. Late Srinivasa Rao,
Aged about 45 years,
Occ: House Hold,
R/o.H.No.1-123, Kanithivooru Village,
Nandigam Mandal, Srikakulam District.

.. Petitioner

And

The State of Andhra Pradesh,
Rep. by the Principal Secretary,
Revenue Department, A.P.Secretariat,
Velagapudi, Amaravathi,
Guntur District and another.

.. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P.NAVEEN RAO**WRIT PETITION No.11725 OF 2018****ORDER:**

This writ petition is filed alleging that the respondents marked the petitioner's house bearing H.No.1-123 of Kanithivooru Village, Nandigam Mandal, Srikakulam District, in the process of widening the road and the same is illegal, as no acquisition process was initiated as required by law.

2. According to the petitioner, he is the owner of the subject house and he is in possession and enjoyment of the same. According to the learned standing counsel, petitioner constructed house in the tank bund poramboke in Survey No.53-2 of Kanithivooru Village and part of the house is also covering Grama Khantam in Survey No.52-5 of Kanithivooru Village. According to the learned Government Pleader, the said house is situated on the right side of the road.

3. The material facts would disclose that house is already constructed and petitioner is living in the said house. According to the respondents, petitioner is in illegal occupation of tank bund poramboke or Grama Khantam. If such is the case, they have to take appropriate legal proceedings as permitted by law. Thus, without following the due process, petitioner cannot be evicted and his house cannot be demolished even for widening of the road. It is

open to the respondents to take appropriate course of action only as warranted by law.

4. Accordingly and with the above direction, this writ petition is disposed of. Miscellaneous petitions pending consideration, if any, in this case shall stand closed as consequence. No order as to costs.

P.NAVEEN RAO, J

10.04.2018

Note: issue C.C. in three days.
B/o.SS

