

THE HONOURABLE SMT JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.10951 of 2006

ORDER

This writ petition is filed seeking a writ of mandamus directing the respondents not to evict the petitioners from their respective plots in Sy.No.276, situate at Kurukalva village, Renigunta Mandal, Chittoor District.

2. Heard Sri V.V.Anil Kumar, learned counsel for petitioners and the learned Government Pleader for Revenue for respondents.

3. It is the case of the petitioners that they are landless poor persons and eking out their livelihood by doing daily wage labour work. During 1990, the petitioners have applied to the Revenue Administration to grant house site pattas and the Revenue Administration, after verifying the eligibility of the petitioners and after being satisfied that they are landless poor persons, had granted house site pattas in Sy.No.276 of Kurukalva village, Renigunta Mandal vide proceedings dated 18.02.1997. Each of the petitioners was allotted Ac.0.02 cents of land and they constructed small thatched houses in the said house sites and ever since, they have been residing in the said house sites. It is the further case of petitioners that while they were in peaceful possession in their respective house sites, the Revenue Administration, namely, the Mandal Revenue Officer, had been taking steps to evict them illegally without issuing any show cause notice and without following due process of law. In these set of circumstances, the petitioners have filed the present writ petition.

4. This Court, while admitting the writ petition on 01.06.2006, was pleased to grant interim direction to the respondents not to evict the petitioners from the house sites, and by virtue of the said interlocutory orders, the petitioners are in possession of the said house sites.

5. Learned Government Pleader for Revenue contends that if the respondents intend to dispossess the petitioners or to acquire the land, they will follow due process of law and if necessary, they would acquire the land by initiating proceedings as per the Land Acquisition Act.

6. I have considered the rival contentions made by the parties. The ends of justice would be met, if the writ petition is disposed of with a direction to the respondents not to dispossess the petitioners from their respective house sites without following due process of law. It is needless to say that till the respondents initiate any action for dispossessing the petitioners from their respective house sites granted in their favour way back in 1997, the petitioners are entitled to be continued in the said houses.

7. With the above directions, the Writ Petition is disposed of, without costs. Miscellaneous petitions, if any, pending in this writ petition shall stand dismissed.

ABHINAND KUMAR SHAVILI, J

13th March, 2018

sj