

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.3995 OF 2013

ORDER:

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

“to issue a writ or order or direction in the nature of writ of MANDAMUS declaring the action of the 2nd respondent without following due process of law making attempts to dispossess the petitioner from the village grama kantam site of Ac 0-20cts in S.No.162/1 situated at Pedda Yachavaram village, Markapuram Mandal, Prakasasm District is illegal, arbitrary and violation of principals of natural Justice and consequently direct the respondents not to dispossess the petitioner from the said site and to pass.”

2. The learned Government Pleader, on the basis of written instructions dated 12.02.2013, submits that there are no evictions carried out in Survey No.162/1 of Peddayachavaram Village, though the land is vacant on ground without any occupation. The petitioners are not in possession and enjoyment of the land. On physical verification, it was noticed that there were no encroachments and the entire 1-16 plots (each 0.03cts including roads come to total Acres 0.80cts) situated in Survey No.162/1 was already assigned as house sites to landless poor persons by proceedings dated 16.10.2012. In view of the same, the relief sought in the present writ petition becomes infructuous.

3. Accordingly, the writ petition is dismissed as infructuous. Miscellaneous petitions pending consideration, if any, in this case shall stand closed as consequence. There shall be no order as to costs.

A.RAMALINGESWARA RAO, J

07.02.2018

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