

HON'BLE SRI JUSTICE S.V. BHATT

W.P.No.12465 OF 2017

ORDER:

At request of petitioner or respondents on 10.04.2017, 25.04.2017 and 06.06.2017, the writ petition has been adjourned.

The respondents have not filed counter affidavit. The Assistant Government Pleader made submissions basing on written instructions dated 10.04.2017 received from respondent No.4.

The petitioner claims to be in possession of Ac.0-06 cents/ 27 sq. yards in Sy.No.378/B of Dhulipalla Village, Sattenapalli Mandal, Gudur District. The petitioner relies on D-form patta dated 11.11.2003 and also a few house tax receipts and also payment of electricity charges to DISCOM. The petitioner complains that respondents 3 and 4 without recourse to law are threatening to dispossess the petitioner. Hence, the writ petition.

The written instructions of respondent No.4, particularly on actual possession and enjoyment of petitioner, reads thus:

“It reveals that the name of petitioner is Chilukoti Devendra Rao, s/o Rama Mohana Rao, and who established a petty tiffin centre with a sheet roofed construction in Sy.No.378/B of Dhulipalla village. On verification of Revenue Records, it is found that no DK patta has been issued to the petitioner in Sy.No.378/B of Dhulipalla village. As per Revenue Records, i.e., RSR, Sy.No.378/B of Dhulipalla village is classified as Gramakantam poramboke with a total extent of Ac.30-62 cents.

It is further submit that the Gram Panchayat authorities have informed that the petitioner encroached 37 sq. yards and constructed a sheet roofed structure for running a tiffin centre in Sy.No.378/B of Dhulipalla village

and there is no proposal for eviction of said construction of the petitioner”.

From the above it is clear that the petitioner is in possession of the petition land. Hence, the respondents are directed not to interfere with the petitioner's possession and enjoyment, except in accordance with law.

The writ petition is, accordingly, disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending stand closed.

16th April, 2018

Lrkm



S.V.BHATT, J