

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.28950 OF 2018

ORDER:

The present writ petition came to be filed seeking to declare the action of the 2nd respondent in threatening to dispossess the petitioner from the occupation of land admeasuring Ac.0.33 cents along with tin shed bearing No.3-90/1, situated at Tiruchanuru Revenue Village, Tirupati Rural Mandal, Chittoor District, without considering the representation of the petitioner dated 14.6.2018, forwarded by the Government on 25.6.2018, as illegal and arbitrary.

The grievance of the petitioner is that he is the absolute owner and possessor of the above said properties for the last 30 years, and earlier the parents of the petitioner were in possession and enjoyment of the same. The petitioner raised a tin shed and residing in the said shed. It is stated that the petitioner is having an electricity connection and paying property tax to the concerned authorities. While things stood thus, in the month of June, 2018, the fourth respondent tried to dispossess the petitioner from the subject land under the influence of local politicians. Thereafter, the petitioner submitted a representation on 14.6.2018 to the Government and in turn the Government forwarded the same to the 2nd respondent-District Collector on 25.6.2018 vide endorsement No.899/2018. It is further stated that while the representation of the petitioner is pending, on 13.8.2018 the 4th respondent sent his officials to dispossess the petitioner from the subject lands stating that the same is intended to be assigned to the third parties, without giving any notice to the petitioner.

When the matter is taken up for hearing, the learned Government Pleader for Revenue, placed on record the written instructions, which discloses that land admeasuring Ac.0.84 cents of Tiruchanuru is classified as Mandabailu and out of which Ac.0.34 cents of land is lying

vacant. The remaining extent is covered with pucca residential houses. The petitioner illegally occupied Ac.0.34 cents, constructed a shed (9 X 9), and obtained electricity service connection bearing No.7054.

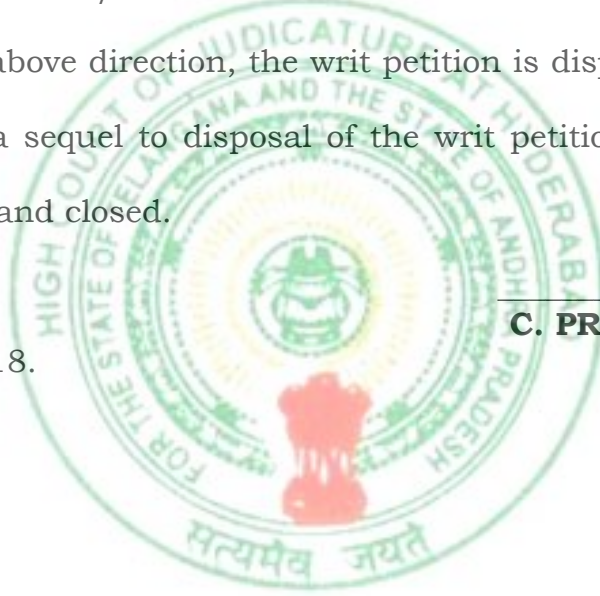
A perusal of the written instructions placed by the Government Pleader, indicate that the petitioner is in possession and enjoyment of the subject lands and he has also raised a tin shed having electricity connection.

Having regard to the facts and circumstances of the case, the writ petition is disposed of directing the 4th respondent-Tahsildar, to follow due process of law, before taking any steps to dispossess the petitioner from the subject lands/tin shed.

With the above direction, the writ petition is disposed of. No order as to costs. As a sequel to disposal of the writ petition, WP.M.Ps if any pending shall stand closed.

Dated:20.08.2018.
Gk

C. PRAVEEN KUMAR, J



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