

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.30547 of 2018

ORDER:

1) The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of the fourth respondent in proceeding to take the land of the petitioner to an extent of Ac.1.70 cents in Sy.No.145 of Chilakapadu Village, Marripadu Mandal, SPSR Nellore District and hand over the same to the fifth and sixth respondents for construction of housing colony, without following due process of law, as illegal, arbitrary and violative of principles of natural justice.

2) There is no necessity to put the unofficial respondents on notice as this Court is not venturing to adjudicate the issue on merits.

3) The Government Pleader for Revenue (AP), placed on record the written instructions received from the Tahsildar (fourth respondent). The substance of the written instructions is that the land in question is a government land classified as "Kaluva Poramboke". It is further stated that there is no material to show that the land which is in possession of the petitioner is an ancestral one.

4) Having regard to the instructions received, it is clear that the petitioner appear to be in possession of the land, which is subject matter of dispute. Hence, the official respondents shall

follow due procedure established under law, if they intend to take possession of the property referred to above.

5) With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

6) Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE C. PRAVEEN KUMAR

10.09.2018
gkv

