

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.30621 of 2018

ORDER:

1) The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of the third respondent in trying to interfere with the peaceful possession and enjoyment of the petitioners and directing them orally to vacate the property to an extent of Ac.6.01 cents in Sy.No.168 situated at Nakkapalli Village and Mandal, Visakhapatnam District, without issuing notice or without conducting any enquiry, as illegal, arbitrary and violative of principles of natural justice.

2) The written instructions placed by the Government Pleader for Revenue (AP) would show that according to the Settlement Fair Adangal of Nakkapalli village, the land as measuring Ac.6.01 cents in Sy.No.168/ 1 is classified as "Poramboke" and registered as "Pavula Cheruvu". The same was incorporated as "Government Land" in all the revenue records. It is further stated that no records are available to show that pattas were given to the petitioners. According to the counsel the petitioners might have encroached on to the said land. It is further stated that if the petitioners have encroached on to the government land, they will take steps in accordance with law.

3) Having regard to the above, if the petitioners are in possession of the property, the respondent authorities shall not dispossess them except in accordance with law.

4) With the above direction, the Writ Petition is disposed of. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

JUSTICE C. PRAVEEN KUMAR

05.09.2018

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