

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

W.P. Nos. 32014, 32173 and 32245 of 2018

COMMON ORDER:

Heard both sides.

2. W.P.No. 32014 of 2018 came to be filed for issuance of a writ of *mandamus* to declare the action of the respondent No.3 in trying to dispossess the petitioner from his Plot Nos. 58 and 59, admeasuring 266.66 sq.yards and Plot Nos. 63 and 64, admeasuring 266.66 sq.yards, total admeasuring 533.32 sq.yards in Survey No. 50/ 10 of Cheruku Rangappa Naidu Kandriga Village, Thottambedu Mandal, Chittoor District on 09.08.2018, without any authority in law, without issuing any notice to the petitioner and without giving him any opportunity, as illegal, arbitrary and unconstitutional.

3. W.P.No. 32173 of 2018 came to be filed for issuance of a writ of *mandamus* to declare the action of the respondent No.3 in trying to dispossess the petitioner from her Plot Nos. 56 and 57, admeasuring 266.66 sq.yards in Survey Nos. 50/ 8 and 50/ 10 of Cheruku Rangappa Naidu Kandriga Village, Thottambedu Mandal, Chittoor District on 09.08.2018, without any authority in law, without issuing any notice to the petitioner and without giving her any opportunity, as illegal, arbitrary and unconstitutional.

4. W.P.No. 32245 of 2018 came to be filed for issuance of a writ of *mandamus* to declare the action of the respondent No.3 in

trying to dispossess the petitioner No.1 from her Plot Nos. 52 and 53, admeasuring 266.66 sq.yards in Survey No. 50/ 10 of Cheruku Rangappa Naidu Kandriga Village, Thottambedu Mandal, Chittoor District, and petitioner No.2 from his Plot Nos. 48 and 49, admeasuring 266.66 sq.yards, in Survey No. 50/ 10 of Cheruku Rangappa Naidu Kandriga Village, Thottambedu Mandal, Chittoor District on 09.08.2018, without any authority in law, without issuing any notice to the petitioners and without giving them any opportunity, as illegal, arbitrary and unconstitutional.

5. The learned counsel for the petitioners would submit that the lands in question are pattadar lands and that the petitioners are in possession of the said lands. The grievance of the petitioners is that the authorities are trying to dispossess them from the subject lands, without providing any opportunity.

6. The learned Government Pleader, on written instructions received from the Tahsildar, Chittoor District, would submit that the lands in Survey Nos. 50/ 10 and 50/ 8 are patta lands and the petitioners are in possession of the same. She would further submit that as the petitioners are trying to encroach into government land situated in Survey No.52, the authorities interfered and cleared the alleged encroachments, and that a panchanama in this regard was also prepared on 07.09.2018. It is stated by her that the authorities are not interfering with the lands in Survey Nos. 50/ 10 and 50/ 8, which are patta lands.

7. Having regard to the above submission made by the learned Government Pleader, these Writ Petitions stand closed. However, any interference by the authorities insofar as the lands in Survey Nos. 50/ 10 and 50/ 8, which are in possession of the petitioners, shall only be in accordance with law. There shall be no order as to costs. Miscellaneous petitions pending, if any, stand closed.

JUSTICE C. PRAVEEN KUMAR

17.09.2018
DMG

