

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 32779 of 2018

ORDER:

1) The present writ petition came to be filed seeking to declare the action of the 3rd respondent in interfering with the ongoing construction of the petitioners' house in Door No.1-10 in Block No.16 in Survey No.339/ 3, admeasuring 0.08 cents, situated at Spaypepeta Area, Ramakrishnapuram village in Chirala Mandal, Prakasam district, as illegal and arbitrary.

2) Learned Government Pleader, on written instructions, would submit that the Mandal Surveyor, Chirala, along with the Village Revenue Officer, inspected the subject land and reported that the said land is in Survey No.339/ 3 of Chirala Revenue Village, and that a certificate was issued to the petitioners by the then Tahsildar, Chirala, vide F.line No. 615/2017, dated 11.09.2017, stating that the petitioners' site lies in Survey No. 339/ 3 of Chirala Revenue Village. It is further stated that at the time of survey, when some persons complained about the construction made in government land, the Village Revenue Officer is said to have directed the petitioners to construct the house in their site only, and not to encroach onto the road (street) margin, which will create problems. It is said that except to the above extent, the revenue authorities have not interfered with the construction made by the petitioners.

3) Having regard to the above, the writ petition is disposed of, directing the respondents herein not to interfere with the construction of the site of the petitioners, if the said construction is made in accordance with the approved plan and if the petitioners have not encroached onto the road margins. If any complaints are received with regard to the violation of the approved plan or encroachments made by the petitioners, the respondents shall take steps for demolition of the construction or for eviction of the petitioners, after following the due process of law. There shall be no order as to costs.

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

14.09.2018
DMG

JUSTICE C. PRAVEEN KUMAR

