

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.40360 of 2018

ORDER:

Aggrieved by the action of the respondents in not following due process of law while dispossessing the petitioner from the House site to an extent of Ac.0.35 cents each in Sy.No.38/2, situated at Gangavaram village, Sabbavaram Mandal, Visakhapatnam District, at the behest of 4th respondent, this writ petition is filed.

Heard learned counsel for the petitioners and learned Assistant Government Pleader for revenue appearing for respondents.

Learned Assistant Government Pleader for revenue appearing for respondents, produced written instructions dated 14.11.2018 stating that only in pursuance to orders of the Senior Civil Judge, Anakapalli in E.P.No.3/2018 in O.S.No.230/2009, the Village Revenue Officer, Gangavaram Village has been deputed along with local Police and Court Amen as official mediator only.

Admittedly, there is civil dispute between the petitioner and 4th respondent, as such, the same cannot be entertained in this matter by way of Writ Petition and disputed questions of facts cannot be gone into by exercising power under Article 226 of the Constitution of India, in this Writ Petition. That apart, this Court cannot direct the District Collector to involve himself in the civil dispute between the petitioner and 4th respondent.

In view of the same, I do not see any merit in this Writ Petition and accordingly, the same is dismissed. However, it is open for the petitioner to avail alternate remedy available to him under law, if he so advised. There shall be no order as to costs. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand dismissed.

19-11-2018
kvs

A.RAJASHEKER REDDY,J



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Date: 19.11.2018



kvs