

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 44493 of 2018

ORDER:

1) The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of the second respondent in interfering with the peaceful possession and enjoyment of the petitioner in respect of House plot bearing No.1542 to an extent of 0.03 cents or 20 ankanams situated in Sy.No.2048/ B1 of Kavali Town and Mandal, SPSR Nellore District, without issuing any notice or without following due process of law, as illegal, arbitrary and violative of principles of natural justice.

2) Though various grounds are raised, learned counsel for the petitioner would submit that the authorities illegally trespassed into his land and are constructing a drain through the land of the petitioner, but the same is disputed by Sri Nimmagadda Venkateswarlu, learned Standing Counsel appearing for the second respondent, stating that the petitioner has encroached on to an extent of 10 feet road and raised a compound wall, which was demolished and then now a drain is laid by the Government. The same is disputed by the learned counsel for the petitioner.

3) Having regard to the above, the respondent-authorities shall construct a drain, without touching the land of the petitioner ie. 20 akanams of House plot bearing No.1542 in Sy.No.2048/ B1 situated at Kavali Town and Mandal, SPSR Nellore District, 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.

10.12.2018
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JUSTICE C. PRAVEEN KUMAR