

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 25192 of 2019

ORAL ORDER:

Heard learned counsel for petitioner and learned Government Pleader for Revenue and with their consent, the writ petition is taken up for disposal at the stage of admission itself.

2. Petitioner claims that she is in possession of Ac.0.02 guntas of land in Survey Nos. 218 & 219, Bhupalapally village and Mandal, Jayashankar Bhupalapally district and that in the year 1997, she constructed a house in portion of said land and the then Gram Panchayat assigned house number as 2-258/2-A. Petitioner claims that since then she is in continuous possession and enjoyment of said property. Taking advantage of the scheme formulated by Government notified vide G.O.Ms No. 59 dated 30.12.2014 to regularize possession of unobjectionable Government land and surplus land under Urban Land (Ceiling & Regulation) Act, 1976, petitioner applied for regularization on 27.2.2015 and paid an amount of Rs.50,000/-. Petitioner now alleges that the District Collector addressed letter dated Nil-02-2019 to Revenue Divisional Officer to take steps to remove encroachments, treating the petitioner as encroacher. Hence, this writ petition challenging the alleged action of respondents in trying to dispossess the petitioner from the subject property without following due process.

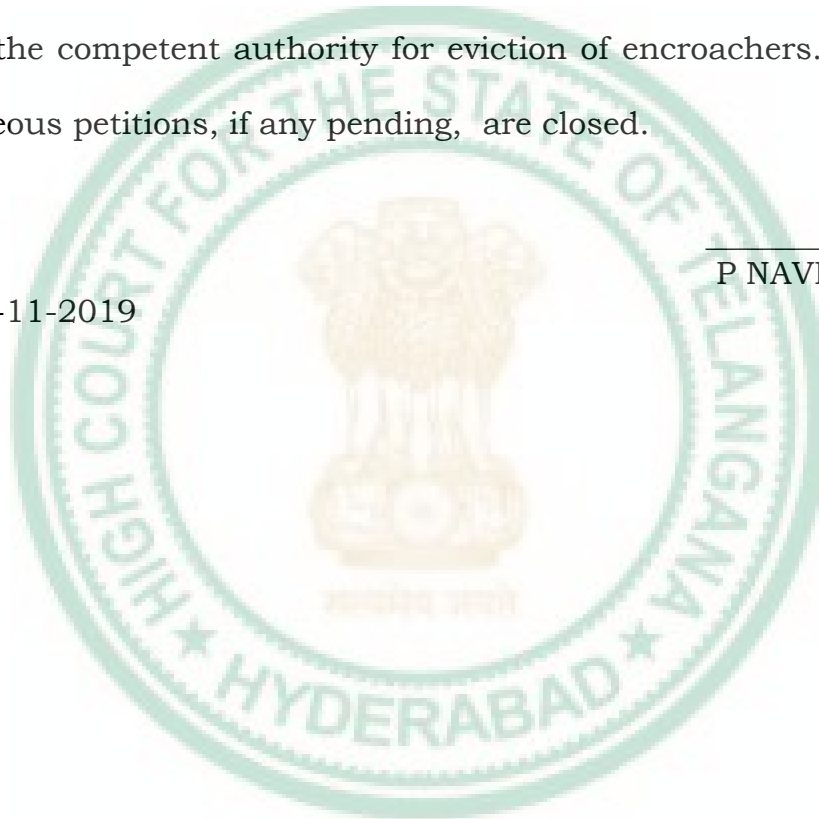
3. It is seen from the letter dated Nil-02-2019 that Member of Legislative Assembly complained on encroachments over Government land and earlier the District Collector directed the Revenue Divisional Officer to take appropriate action and since no action is taken reminder letter dated Nil-02-2019 was issued. The relevant paragraph reads as under:

“In this regard you are requested to conduct spot enquiry and take necessary action on the encroachers and submit the action taken report in this matter at an early date.”

4. It is thus clear that competent authority has to take action to evict the encroachers and so far no action is set in motion. The internal correspondence between the District Collector and the Revenue Divisional Officer does not give cause of action. The writ petition is premature and the same is accordingly dismissed, leaving it open to the petitioner to workout her remedies as and when appropriate steps are taken by the competent authority for eviction of encroachers. No costs. Miscellaneous petitions, if any pending, are closed.

DATE: 18-11-2019
TVK

P NAVEEN RAO,J



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