

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.14897 OF 2015

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Irrigation.

This writ petition is filed seeking the following relief :-

“.....Writ of Mandamus by declaring the action of the Respondent Nos.1 to 4 in executing works in the patta land of the Petitioner in Sy.No.57/AA/2 to an extent of 2.10 gts in the name of Restoration of Nallacheruvu of Remedicherla Village of Yerrupalem Mandal, Khammam District under Mission Kakatiya, is illegal, arbitrary and unconstitutional, and pass such other”

It has been contended by the petitioner that he is the owner and possessor of the land to an extent of Ac.2.12 gts in Sy.No.57/AA/2 of Remedicherla Village, Yerrupalem Mandal, Khammam District and the respondents are trying to interfere with his possession. Challenging the same, the present writ petition is filed.

Learned counsel for the petitioner contends that appropriate orders be passed in the writ petition directing the respondents not to dispossess the petitioner without following due process of law.

Learned Government Pleader appearing for the respondents contends that respondents are not interfering with peaceful possession of the petitioner and to that effect, counter affidavit is also filed.

This Court, having considered the rival submissions of the learned counsel appearing for the respective parties is of the

considered view that this writ petition can be disposed of recording the averment made in paragraph 5 of the counter affidavit that respondents are not interfering with the peaceful possession of the petitioner and that the respondents have completed the remaining work without disturbing the possession of the petitioner.

In view of the above, this writ petition is closed with an observation that petitioner's possession is not being disturbed by the respondents. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

Date: 19-02-2020
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