

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

THE HON'BLE SRI JUSTICE NINALA JAYASURYA

WRIT PETITION No.18122 of 2023

Between:-

Polireddy Sriramamurthi

..... Petitioner

and

The State of Andhra Pradesh, Rep. by its Principal Secretary,
Revenue Department, and others

..... Respondents

Counsel for the petitioner : Mr.P.Nanilu Naidu

Counsel for respondents : The G.P. for Revenue

ORDER:

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Revenue appearing for respondents. With their consent, the writ petition is disposed of, at the stage of admission.

2. The grievance of the petitioner in the present writ petition, in short, is that the respondents are trying to dispossess the petitioner from the subject matter property of an extent of 230.77 Sq.yards out of 320 Sq.yards in R.S.No.79-11A of Makavarapalem Village.

3. Learned counsel for the petitioner submits that the petitioner is the absolute owner of the subject matter property of an extent of 230.77 Sq.yards out of 320 Sq.yards in R.S.No.79-11A within the boundaries viz., North: Land of Gavireddy Ramanamma, East: Vacant site of Dendhukuri Satyanarayana Raju; South: R&B Road way of Narsipatnam to Thallapalem; West: MRO Office Complex of Makavarapalem Mandal. He submits that after purchasing the property in question, the petitioner erected a thatched hut and also raised concrete pillars on all the sides of the property. He further submits that when the petitioner was taking steps to put up iron fencing, the 2nd respondent had obstructed the petitioner from putting up fencing, in high-handed manner, without issuing any notice or following due process of law, which constrained the petitioner to approach this Court.

4. Learned Assistant Government Pleader for Revenue, on the other hand, while denying the allegations made in the writ petition, made his submissions. On the basis of the written instructions dated 05.8.2023 received from the

2nd respondent, in similar circumstances, W.P.No.18121 of 2023 was disposed of, by a separate order dated 07.8.2023. The property in question is adjacent to the subject matter land in the said writ petition. Though specific instructions in the present case appear to have not been furnished, this Court, instead of keeping the writ petition pending, is inclined to dispose of the same.

4. Accordingly, the writ petition is disposed of, with a direction to the respondents not to resort to any coercive action in respect of the subject matter property, without following due process of Law. No order as to costs. As a sequel, miscellaneous petitions pending, if any, shall stand closed.

August 07, 2023
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NINALA JAYASURYA, J