

THE HON'BLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO.19148 OF 2023

ORDER:

The present Writ Petition is filed seeking the following relief:

"..to declare the proceedings RC.No. /2023 dated 19.07.2023 issued by the 3rd respondent thereby directing the petitioners herein to vacate dwelling houses in R/o.741 PennaadaPalem, Palakoderu Mandal, PennadaAgraharam West Godavari District alleging that the same falls in Ac.16.21 cents in Sy.No.246 of Palakoderu Mandal, PennadaAgraharam Gram Panchayat, West Godavari District as Gram Kantam land to remove unauthorized constructions as illegal, arbitrary unjust in violation of principles of Natural Justice violation of articles 14 19, 21 and 300-A of constitution of India Contrary to BSO and law laid down in Nagarala Nirvasithula Welfare association Vs The Government of AP and without jurisdiction and consequently direct the respondents not to demolish and dispossess petitioner from their residential house cattle sheds manure pits etc and for other reliefs and to pass .."

2. Heard Sri Vinodin Ruth, learned counsel for the petitioner, learned Assistant Government Pleader for Panchayat Raj and Sri N.Sri Hari, learned Standing Counsel.

3. Learned counsel for the petitioner submitted that, without passing any orders on the representation made by the petitioner on 25.07.2023, the respondent authorities are high-handedly trying to dispossess the petitioner from the subject property. As such prayed to pass appropriate orders in that regard.

4. Sri N.Srihari, learned Standing Counsel on written instructions dated 02.08.2023 submitted that, the authorities are not interfering

and trying to dispossess the petitioner from the subject property and in the event if they want to interfere, they would definitely follow the due process. As such, prayed to pass appropriate orders in that regard.

5. To the said submission, learned counsel for the petitioner requested to record the contentions and prayed to dispose of the writ petition.

6. Taking into consideration the submissions of both the learned counsel, as the authorities are not interfering and trying to dispossess the petitioner from the subject property, instead of keeping this writ petition pending, this court is inclined to **dispose of** this writ petition with the following direction:

The respondent authorities are directed to pass appropriate orders on the petitioner's representation dated 25.07.2023 and till such exercise, the respondent authorities are directed not to interfere with the subject property except under due process of law. No orders as to costs.

Accordingly, the writ petition is **disposed of**. No costs.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE RAVI CHEEMALAPATI

18.08.2023,
BRS