

HON'BLE SMT JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION No.8654 OF 2020

ORDER:

This writ petition is filed, under Article 226 of the Constitution of India, to declare the action of the 3rd respondent in removing the structures and basements laid by the petitioners in their respective House sites bearing Plot Nos.80, 84, 86 and 87 in survey No.652/10, situated in Bodumalluvaripalle Village, Piler Mandal, Chittoor District, and permitting the local ruling party leaders for making constructions without following the order passed in Writ Petition No.11193 of 2019, dated 09.8.2019 and Contempt Case No.479 of 2019, as arbitrary and illegal.

2. The case of the petitioners is that House site pattas were granted to the petitioners in plots bearing Nos.80, 84, 86 and 87 in survey No.652/10 of Bodumalluvaripalle Village. When the 3rd respondent tried to occupy the said plots and cancel the house site pattas, the petitioners filed writ petition No.11193 of 2019 and the said writ petition was disposed of on 09.8.2019 directing the respondents therein, who are respondent Nos.1 to 3 herein, not to evict the petitioners, except by following due process of law. The said order was communicated to the respondents. As the respondents violated the said order, the petitioners have filed Contempt Case No.479 of 2019, which is pending. When the petitioners started constructions in their

respective plots, the staff and the 3rd respondent have visited the subject plots and took away construction material with the help of local political leaders and that the 3rd respondent is trying to re-allot the house site plots, which are granted in favour of the petitioners, to other persons. The 3rd respondent and his staff have demolished the structures and the basements laid by the petitioners in their plots, without following the directions in the previous writ petition i.e., Writ Petition No.11193 of 2019, dated 09.8.2019. Hence, the present writ petition is filed.

3. Learned Government Pleader for Revenue appearing for respondent Nos.1 to 3, on instructions, submits that the respondents are not interfering with the possession of the petitioners' plots bearing Nos.80, 84, 86 and 87, and if need be, they will follow the procedure contemplated under law for cancellation of the pattas.

4. In view of the categorical statement made by the learned Government Pleader that the respondents are not interfering with the possession of the petitioners' plots, no further orders are necessary in the writ petition.

5. Accordingly, the writ petition is closed. No order as to costs. As a sequel, the miscellaneous applications pending, if any, shall stand closed.

KONGARA VIJAYA LAKSHMI, J

June 16, 2020.
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