

HONOURABLE SMT. JUSTICE V.SUJATHA

WRIT PETITION No.5341 of 2015

ORDER:

The present Writ Petition came to be filed under Article 226 of the Constitution of India seeking the following relief:-

“...to issue a Writ, order or direction more particularly one in the nature of WRIT Of MANDAMUS declaring the action of the Respondent No.4 in trying to dispossess the petitioners from their residential houses located in different parts of Land in Sy.Nos.9 and 10 of Kallurupalli Village, Nellore Rural Mandal, SPSR Nellore District covered by Patta certificates issued by the Government in File No.RcB/529/09, dated 15.3.2012 is illegal, arbitrary and violative of Articles 14, 19 (i)(g) and 21 and 300-A of the Constitution of Indian apart from being violative of Principles of Natural Justice and consequently direct the respondent No.4 not to interfere with the peaceful possession and enjoyment of the Petitioners residential houses located in different parts of Land in Sy.Nos. 9 and 10 of Kallurupalli Village, Nellore Rural Mandal, SPSR Nellore District covered by Patta certificates issued by the Government in File No,RcB/529/09, dated 15.3.2012...”.

2. Today, when the matter came up for hearing, learned counsel for the petitioners reiterated the contentions urged in the present writ petition.

3. Learned Government Pleader for Revenue has produced a copy of the instructions of the Tahsildar, Nellore Rural vide

Rc.B.151/2023, dated 31.01.2023, wherein it is stated as follows:

“...it is submitted that as seen from the revenue records available in this office record room the then Tahsildar Nellore rural were issued house plots in Indiramma Colony in Survey number 9 and 10 of Kallurupalli Village. At present on ground plots possession and enjoyment of the writ petitioners. It is further submitted that it is not true the Mandal Revenue Officer and other staff of Nellore Rural Mandal have to evict the petitioners in subjected land.”

3. In view of the said instructions, without going into the merits of the case, this writ petition is disposed of directing the respondent authorities not to interfere with the peaceful possession and enjoyment of the petitioners over the subject land in Sy.Nos. 9 and 10 of Kallurupalli Village, Nellore Rural Mandal, SPSR Nellore District, as long as the patta granted in their favour is subsisting, except by following due process of law. There shall be no order as to costs.

As a sequel, miscellaneous applications, pending, if any, shall also stand closed.

JUSTICE V.SUJATHA

Date : 31.01.2023

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