HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 15931 of 2012

ORDER:

Heard learned counsel for the petitioners and learned Government Pleader for Revenue. With the consent of both the parties, the Writ Petition is disposed of at the admission stage itself.

The present Writ Petition came to be filed seeking to declare the action of the respondents in threatening to evict the petitioners from their Palmoil garden admeasuring Acs.1.40 cents, Acs.2.62 cents situated in R.S.Nos.150/1, 150/2, 150/4, 150/8 and 150/7, Sanigudem (V), Denduluru (M) and Ac.0.73 cents situated in R.S.No.125/3, Gudigunta (Gangannagudem (V), Denduluru Mandal, West Godavari District, without issuing any notice and without giving any opportunity as illegal and arbitrary and consequently direct the respondents not to evict the petitioners from the said lands.

The first, second and third petitioners claim themselves to be absolute owners and possessors of the lands admeasuring Acs.1.40 cents, Acs.2.62 cents situated in R.S.No.150/1, 150/2, 150/4, 150/8 and 150/7, Sanigudem (V), Denduluru (M) and Ac.0.73 cents situated in R.S.No.125/3, Gudigunta (Gangannagudem (V), Denduluru Mandal, West Godavari District respectively and has been raising palmoil garden since last 20 years and were eking out their livelihood without interference from any corner. While things stood thus, the respondents are alleged to have been threatened the petitioners to evict them from the said lands, without giving prior notice and without following due process of law. Questioning the action of the respondents, the present Writ Petition came to be filed.

On 30.05.2012, this Court, while issuing notices to the respondents, ordered *status quo* with regard possession of the lands in question, for a period of two weeks from that day, which was extended on 15.06.2012.

Learned counsel for the petitioners submits that even as on today, the petitioners are in possession of the said lands.

Learned Government Pleader on instructions submits that no coercive steps will be taken against the petitioners, without following due process of law.

Without going into merits of the case and having regard to the circumstances stated above, the Writ Petition is disposed of directing the respondents not to dispossess the petitioners, from the lands admeasuring Acs.1.40 cents, Acs.2.62 cents situated in R.S.No.150/1, 150/2, 150/4, 150/8 and 150/7, Sanigudem (V), Denduluru (M) and Ac.0.73 cents situated in R.S.No.125/3, Gudigunta (Gangannagudem (V), Denduluru Mandal, West Godavari District, without following due process of law. No costs.

Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

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JUSTICE C. PRAVEEN KUMAR

11.09.2015
vhb