

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.9801 OF 2005

DATED 06th APRIL, 2015

Between:

B. Venkata Seshiah and others .. Petitioners

and

The District Collector, Kadapa and another .. Respondents

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION NO.9801 OF 2005

ORDER

The petitioners, thirty four in number, assail the action of the respondent

authorities in seeking to interfere with their peaceful possession and enjoyment over the house sites allotted to them in Sy.Nos.1033/2, 1033/3, 1033/4 and 919 of Chinnachowk Village, Kadapa Town and Mandal, Kadapa District.

By interim order dated 27.04.2005, this Court directed the respondent authorities not to interfere with the possession and enjoyment of the petitioners over the subject house sites provided the pattas granted to them were subsisting as on that day.

Despite the lapse of a decade, the respondent authorities have not chosen to file a counter-affidavit. In the absence of a rebuttal to the averment made by the petitioners that they were granted house site pattas and that they were in possession of the land so allotted, this Court is inclined to accept that they are in possession.

That being so, the writ petition is disposed of with a direction to the respondent authorities not to interfere with the possession and enjoyment of the petitioners over the subject house sites, if warranted, except in accordance with the due procedure laid down by law. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

06th APRIL, 2015

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