

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA
PRADESH

* * *

WRIT PETITION No. 31249 of 2015

BETWEEN

Yerva Athmanda Reddy and another

... PETITIONER

AND

The State of Andhra Pradesh, rep. by its Principal Secretary and another

...RESPONDENTS

Date of Order pronounced: 28.09.2015

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgments? | Yes/No |
| 2. Whether the copies of judgment may be
marked to Law Reporters/Journals? | Yes/No |
| 3. Whether his Lordship wish to see the
fair copy of the Judgment? | Yes/No |

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ORDER:-

Heard.

2. Petitioners claim that they have purchased land to an extent of Ac.3-50 cents in survey No.432 situated at Chatlamitta Village and Gram Panchayat, Peddaraveedu Mandal, Prakasam District under a registered sale deed in document No.150/2011 dated 07.01.2011. Petitioners state that the land

aforesaid has always been treated as private patta land, but the fourth respondent has recently erected a board on the land showing that the land is 'Grama Devatha Gudi Bhoomi'. Aggrieved by the said action, the present writ petition is filed.

3. Learned government pleader has received instructions, which *inter alia* states that the land to an extent of Ac.15-61 cents in survey No.432 of Rajampalli Village of Peddaraveedu Mandal of Prakasam District is classified as Grama Devatha and that there is neither conversion of the land into ryotwari under the Inams Abolition Act nor there is grant of patta to anybody. The sale transaction claimed by the petitioners is therefore denied and it is stated that appropriate action is under process and in the meanwhile the Board is erected as above.

4. Even assuming that the contentions of the fourth respondent, as stated in the instructions, are correct, since the petitioners claim to be in possession on the basis of a registered sale deed in their favour, as referred to above, the fourth respondent will have to follow due procedure prescribed under law if he intends to take action against the petitioners.

5. Since the instructions also state that appropriate proceedings is under process, the writ petition is disposed of directing the fourth respondent to follow due process of law by giving notice and by inviting explanation from the petitioners as well as from the persons, if any, found to be in possession of the aforesaid land, and after considering their respective explanation, pass appropriate reasoned order. Till passing of appropriate order as above, the fourth respondent is directed not to take any coercive steps including dispossession of the petitioners without following due process of law.

As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

September 28, 2015

LMV