

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.26553 of 2015

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:

“to issue a Writ of Mandamus or any other appropriate writ or writs, order or direction declaring the action of the respondent Nos.2 to 5 in interfering with the peaceful possession and enjoyment of the petitioners land to an extent of Ac.67.84 cents in Sy.No.34 of Mulakaledu Village, Settur Mandal, Ananthapur District as illegal, arbitrary against the principles of natural justice and violation of Article 300-A of Constitution of India and consequently direct the respondent Nos.2 to 5 not to interfere with the peaceful possession and enjoyment of the petitioners land to an extent of Ac.67.84 cents in Sy.No.34 of Mulakaledu Village, Settur Mandal, Ananthapur District and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case..”

Heard Sri Prabhakar Karanam, learned counsel for the petitioners and learned Government Pleader for Home for the respondents 1 to 5, apart from perusing the material available before this Court.

Today, when the matter is called, written instructions, dated 07-09-2015, furnished by the Sub Inspector of Police, Settur Police Station, Ananthapur District, have been placed on record by the learned Government Pleader for Home, and the said instructions read as under:

“It is respectfully submitted that one Boya Thimmakka and 8 others/the petitioners and one Bavasani Pedda Hanumanthappa/7th respondent herein have land disputes of the land an extent of Ac.95.34 cents situated in Sy.No.34

stands in the name of Late Bavasani Rangappa Gari Hanumanthudu and petitioners' grand-father late Boya Madaian gari Katadu. In fact Sri Boya Katadu was having 2/3 share i.e., 67.84 Acre in the total land 95.34 Acre after his demise, the petitioners herein started enjoying the said land 67.84 Acre as his legal heirs till date. Whereas Sri Baanasi Rangappa gari Hanumanthudu was in possession and enjoyment of the remaining land an extent of 27.50 Acre. Subsequently Bavasani Rangappagari Hanumanthudu died leaving behind his only legal heir B. Bheemappa.

It is also submitted that they filed one Civil Suit vide OS No.207/2007 before the Hon'ble Court and the same was pending. Till the petitioners and the 7th respondent herein Bavasani Pedda Hanumanthappa along with another party were quarreled between each other by creating Law and Order into the above said City. Hence the respondent police bound over the above said two parties before the Mandal Revenue Officer, Settur, Ananthapur District vide M.C.No.13/2015 dt.02-06-2015, to maintain Law and Order problem into the above said city.

Except that the respondent police never interfered into the petitioners' peaceful possession and enjoyment of the above said land. Hence the allegations made against the respondent police are false and baseless."

On noticing the above said instructions, learned counsel for the petitioners has requested this Court to record the said instructions and dispose of the writ petition.

In view of the above, the writ petition stands disposed of, by recording the written instructions dated 07-09-2015, furnished by the Sub Inspector of Police, Settur Police Station, Ananthapur District.

The Miscellaneous Petitions pending, if any, shall stand closed. There shall be no order as to costs.

A.V. SESA SAI, J.

Dt.11-09-2015

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THE HON'BLE SRI JUSTICE A.V. SESA SAI

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WRIT PETITION No.29243 of 2015

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September 10, 2015

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