

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.11093 of 2005

ORDER:

Heard the learned Counsel for the petitioners and the learned Government Pleader for the respondents.

The petitioners claim that they inherited the land in Survey Nos.170-1, 170-4, 170-6 and 170-8 of Kappalabanda Village, Puttaparthi Mandal in Anathapur District. They also state that they partitioned the land under a registered document dated 19.04.2001. They have been in possession of the said land. They were issued pattadar pass books and 10-1 Adangal also. While so, when the respondents tried to lay a road without following the due process of law, they filed the present Writ Petition.

This Court, by order dated 10.05.2005, granted interim direction not to interfere with the subject land.

Though ten years have elapsed, no counter affidavit is filed and it is assumed that the respondents have no intention to lay the road. If the respondents want to lay the road, they have to follow due process of law.

In the circumstances, the Writ Petition is disposed of directing the respondents not to interfere with the possession of the land of the petitioners in Survey Nos.170-1, 170-4, 170-6 and 170-8 of Kappalabanda Village, Puttaparthi Mandal in Anathapur District, without following due process of law. The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

06.02.2015

vs