

***THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO***

***AND***

***THE HON'BLE SRI JUSTICE M.S.K.JAISWAL***

**WRIT APPEAL No. 374 of 2015**

**JUDGMENT:** (per NRR,J)

This writ appeal is preferred by the appellants-writ petitioners aggrieved by the interlocutory order passed by the learned Single Judge on 28.04.2015.

We have gone through the pleadings set up by the appellants as well as counter-affidavit filed by the Tahsildar, Atchutapuram Mandal, Visakhapatnam District, carefully. The stand taken by the respondents is that the land in question was Government land and it was assigned long years ago, and therefore, it is not a privately owned land by the appellants. This apart, it is asserted by the Tahsildar that a cart-track is available passing through the said land, and as of now, its improvements are what have been undertaken by the State.

In that view of the matter, the view taken by the learned Single Judge that in case the appellants succeed in the writ petition that they can be compensated adequately by the State, cannot be taken exception to. All we need to add a rider thereto was that the principles on the subject would be adhered to by the State in the matter of determination and payment of compensation, in case the appellants succeed at any later point of time.

With this, the writ appeal stands disposed of. There shall be no order as to costs.

Consequently, the miscellaneous applications, if any shall also stand disposed of.

---

**NOOTY RAMAMOHANA RAO, J**

---

**M.S.K.JAISWAL,J**

Dt:07.05.2015

Kdl/gj