

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.21768 of 2015

Dated : 17.07.2015

Between:

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Sri Mutturu Bhasker Reddy S/o.Subba Reddy,
Age 35 yrs, Chemullapalle Village,
Kazipet Mandal, Kadapa District & others

..

Petitioners

And

The State of A.P.,
rep., by its Secretary,
Department of Municipal Administration,
Secretariat, Hyderabad & another

..

Respondents

This Court made the following :

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ORDER :

The petitioners claim to be in possession of lands to an extent of Ac.0.23 cents in Sy.No.199/1, Ac.0.15 cents in Sy.No.199/2 and Ac.0.20 cents in Sy.No.203/B1 of Chinnachowk revenue village of Kadapa Mandal, Kadapa District.

2. According to the petitioners, the above said lands are Government lands which were assigned to the grand father of the 3rd petitioner by the then Tahsildar, Kadapa on 16.04.1948 and there was no condition of non-alienation of the land in the DKT patta granted to him, and the petitioners have been in possession and enjoyment of the said lands. While so, on 10.07.2015, without prior notice or intimation, the officials of the 2nd respondent-Municipal Corporation, along with their men, material and machines have come to the petitioners property and tried to disturb their peaceful possession and take over possession. After showing the relevant documents, they went away temporarily but they warned that they would come back and take the possession forcibly. Hence, this writ petition.

3. On instructions, Sri S.D.Goud, Standing counsel for the 2nd respondent submits that in so far as the 2nd respondent-Municipal Corporation is concerned, no attempt is made by them to take possession and there is no such orders issued by the competent authority for taking possession of the said properties claimed by the petitioners, and therefore, learned Standing counsel assures the Court that no coercive steps would be taken against the petitioners, without following the due process.

4. Having regard to the said submission, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO,J

17th July, 2015.

Note : Issue c.c. in two (2) days.

B/o.

Rds