

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 13269 of 2012

ORDER:

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Heard learned counsel for the petitioners and learned Government Pleader for Revenue appearing for the respondent. With the consent of the parties, the writ petition is disposed of at the admission stage itself.

The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of the respondent in trying to dispossess the petitioners from the land to an extent of 325 square yards each in Survey No.387/1 situated at Kapuluppada Village, Beemunipatnam Mandal, Visakhapatnam District, as illegal and arbitrary.

The grievance of the petitioners is that though they are the absolute owners and possessors of the land mentioned above having purchased the same from one Rabothu Kannarao for a valid sale consideration under a registered sale deed dated 16.07.2002, the respondent is trying to dispossess them from the land without following the due process of law.

On 02.05.2012, this Court, while ordering notice before admission, granted stay of dispossession of the petitioners from the land, provided they are in possession of the same.

It is stated by the learned counsel for the petitioners that as on today, the petitioners are in possession of the land. The learned Government Pleader for revenue submits that no coercive steps will be taken against the petitioners, without following the due process of law, if they are still in possession.

Having regard to the circumstances stated above and without

going into the merits of the case, the Writ Petition is disposed of, directing the respondent not to dispossess the petitioners from the land to an extent of 325 square yards each in Survey No.387/1 situated at Kapuluppada Village, Beemunipatnam Mandal, Visakhapatnam District, without following the due process of law, provided they are still in possession of the same. There shall be no order as to costs.

Consequently, miscellaneous petitions if any pending in the writ petition shall stand dismissed.

JUSTICE C. PRAVEEN KUMAR

15th September, 2015
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