

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.15265 OF 2005

ORDER:

This writ petition is filed seeking a direction to declare the action of the respondents 1,3 and 4 in distribution of pattas in respect of the land covered in R.S.Nos.180 and 211 of Poolapalli Village of Palakol Mandal, West Godavari District which is classified as pathway puntha and proposed to lay 100 feet wide road in the master plan prepared by the Town and Country planning department as illegal, arbitrary.

Heard Sri Kalyan C.R, learned counsel appearing on behalf of Sri K. Chidambaram, learned counsel for the petitioners and the learned Assistant Government Pleader for Revenue (A.P).

The writ petition came to be admitted on 14.07.2005 and no interim order was passed.

A counter-affidavit was filed on behalf of the respondents 1, 3 and 4 wherein it has been categorically asserted that the land in issue in Sy.Nos.180 and 211 of Poolapalli Village of Palacole Mandal, has been allotted to 72 landless poor persons and possession was also delivered to them. It is further averred that the petitioners being strangers to the property and the property in question being the Government land, there is no right in the petitioners to prevent distribution of the house site pattas and possession.

Perused the material placed on record. As contended by the learned Assistant Government Pleader, petitioners do not have any right in the property and that the petitioners are using the property as a pathway. However, considering the specific assertion of the Mandala

Revenue Officer in the counter-affidavit that there is alternative path way available to the petitioners and other ryots and considering the fact that the land had already been allotted to the beneficiaries and handed over the possession of the same, no relief as such, at this point of time, can be granted to the petitioner.

Accordingly, the writ petition is closed. No order as to costs.

Miscellaneous Petitions, if any pending in this writ petition shall stand closed. No order as to costs.

CHALLA KODANDA RAM,J

Date:27.10.2015.

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HON'BLE SRI JUSTICE CHALLA KODANDA RAM

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