

HON'BLE SRI JUSTICE S.V.BHATT

W.P.No.20455 OF 2011

ORDER:

Heard learned counsel for petitioners and the Government Pleader.

The complaint of petitioners is that the respondents are trying to dispossess the petitioners from the lands an extent of Ac.0-27 cents, Ac.0-27 cents, Ac.0-27 cents, Ac.0-45 cents, Ac.0-27 cents, Ac.0-40 cents, Ac.0-27 cents, Ac.0-45 cents Ac.0-45 cents respectively in R.S.No.297/1 of Racherla Village, Pentapadu Mandal, West Godavari District, without following the procedure stipulated by law, more particularly by paying compensation to the petitioners, as illegal, arbitrary and unconstitutional.

This Court, through order dated 20.07.2011, directed the possession of petitioners of petition property. The respondents filed a petition to vacate interim order.

In the counter-affidavit filed, the respondents, while admitting the possession of petitioners, claim right and title to the petition property on the ground of its classification as burial ground.

The learned counsel appearing for the parties tried to persuade this Court to consider the real issue and pass appropriate orders.

This Court would have certainly considered the case for the issue on hand had there been expression of view on issues by the competent authority. For the present, it is suffice to observe that the possession of petitioners shall not be interfered with or disturbed, except in the manner provided by law. If the respondents intend to take recourse to law, it is made clear notices are issued to petitioners, their explanation is received and appropriate orders are passed. The final order, for any reason, affects the rights of petitioners, the remedies to move the competent Court remain unaffected through the dismissal

of this writ petition.

With the above observation, 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.

S.V.
BHATT, J

13th March, 2015

Lrkm