

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 7095 of 2015

ORDER:

The writ petitioners state that they are in lawful possession and enjoyment of house sites in Survey No.7 of K.Kodada village, Thondangi mandal, East Godavari district on the strength of house site pattas granted during their fathers' time. It is their grievance that the respondent authorities, without any reason and right, are interfering with their possession at the instance of the 5th respondent.

2. It is stated that the Tahsildar, Thondangi mandal had submitted a report dated 13.12.2014 to the Station House Officer, Thondangi village, stating that the 5th respondent has nothing to do with the land in question in Survey No.7, and in fact the land over an extent of Ac.14.51 cents in Survey No.7 belongs to one Sri Damera Venkata Narasimha Rao and their family members. However, due to the negligence of land owners, major portion of the land is in occupation of third parties; and over an extent of Ac.3-18 cents, pattas have been granted in favour of Damera Vijaya Kumar S/o Venkata Narasimha Rao, Damera Mohana Rao S/o Venkata Narasimha Rao, Damera Murali Mohana Surya Prakasa Rao S/o Narasimha Rao, Damera Harendra Nadh S/o Venkata Narasimha Rao, Damera Hari Prasada Rao S/o Venkata Narasimha Rao, Damera Ashok Kumar S/o Narasimha Rao. The Station House Officer, Ontimamidi, Thondangi mandal, is interfering at the instance of 5th respondent and trying to evict the petitioners.

3. Heard the petitioner's counsel and the learned Assistant Government Pleader.

4. Learned Assistant Government Pleader, on instructions received from the Tahsildar, submits that the 3rd respondent has, in no manner, interfered with the possession of the petitioners, but on the contrary,

the 3rd respondent, on enquiry of the Station House Officer, Ontimamidi, Thondangi, had informed the true status of entries in the revenue records confirming that the land is a private land belonging to Damera family and they have, in no way, threatened the petitioners and the allegations of the petitioners are false.

5. In the light of categorical stand of the 3rd respondent-Tahsildar, filing of the writ petition is misconceived; especially, when it is the specific case of the official respondents that the land belongs to private individuals and the Government has nothing to do with the land.

6. In that view of the matter, the writ petition is closed, leaving it open to the petitioners to avail appropriate civil remedies available to them under law against the 5th respondent or whoever is trying to interfere with their possession. No costs.

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

CHALLA KODANDA RAM, J

18th March, 2015
ksm