

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

Writ Petition No.37035 of 2014

ORDER:

Petitioners are the assignees of various extents of land in survey Nos.245 to 247 of Gambeeram Village, Anandapuram Mandal, Visakhapatnam District, and in the year 1992, they have been granted pattas. It is asserted that since then they have been in peaceful possession and enjoyment by cultivating the same. In July 2014, the Revenue Authorities had visited the land and directed the petitioners to vacate the same. The simple grievance of the petitioners is to the effect that without following due process of law and without initiating any land acquisition proceedings, the respondents are trying to dispossess them. Hence, this writ petition.

This Court issued notice before admission on 03.12.2014, and further directed that the petitioners shall not be dispossessed without following the due process of law.

A perusal of the proceedings, dated 20.10.2014, issued by the District Collector, Visakhapatnam, the 2nd respondent herein, discloses that an extent of Acs.37.29 cents of land in survey No.68 of Anantapur Mandal, is shown as assigned land. In the affidavit filed in support of the writ petition, it has been stated by the petitioners that survey Nos.245 to 247, in which the petitioners were granted pattas, is carved out from survey No.68 of Gambeeram Village, Anantapur Mandal.

In these circumstances, interests of justice would be met, if the writ petition is disposed of, with a direction that the petitioners shall not be dispossessed without following the due process and without payment of compensation in terms of the applicable law,

including the Land Acquisition Act. There shall be no order as to costs.

The miscellaneous petitions filed in this writ petition shall also stand disposed of.

CHALLA KODANDA RAM, J.

Date:21.01.2015
GJ