

**HON'BLE SRI JUSTICE SANJAY KUMAR**

**Writ Petition No.10789 of 2005**

**Date: 23.4.2015**

Between:

S.Md. Rafi,

Madanapalle,

Chittoor District.

...Petitioner

And

The Sub-Collector,

Madanapalle,

Chittoor District and others.

... Respondents

**HON'BLE SRI JUSTICE SANJAY KUMAR**

**Writ Petition No.10789 of 2005**

-

**ORDER:**

This writ petition was filed assailing the action of the respondents in trying to dispossess the petitioner from the extent admeasuring Acs. 0.01 cents in Survey No. 222-1B-1 of Kammappalli Village, Madanapalle town, Chittoor District, without following the due process of law.

By order dated 29.4.2005, this Court directed the respondents not to dispossess the petitioner from the land in question without following due process of law in case the patta granted in favour of the petitioner's father was subsisting as on that date.

Only the third respondent filed a counter wherein he stated that the occupation of the petitioner at the subject location was causing inconvenience and that the road at that juncture was required to be widened some time in the future. Neither the revenue nor the municipal authorities have filed their counter affidavits till date. However, the petitioner filed a copy of the patta granted to his father by the Mandal Revenue Officer, Madanapalle, and there is no rebuttal to his averment that the same is still subsisting.

In that view of the matter, the writ petition is disposed of directing the respondent-authorities not to interfere with the land which is the subject matter of the said patta except in accordance with the due procedure laid down by law.

Pending miscellaneous petitions shall stand closed in the light of this final order. No order as to costs.

---

**SANJAY KUMAR,J**

Date: 23<sup>rd</sup> April, 2015

-

Note:

Furnish c.c. in one week.

b/o

pnb