

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

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WRIT PETITION No. 15013 of 2005

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ORDER:

This writ petition is filed alleging interference of the respondent authorities with the petitioner's peaceful possession and enjoyment of the property over an extent of Ac.2-02 guntas in Survey No.30 of Yellampet village, Medchal mandal, Ranga Reddy district.

2. It is the specific case of the petitioner that he purchased the said property by a registered sale deed dated 24.11.2003 from one A. Surya Prakash Rao and his son A. Sandeep. Since the date of purchase, the petitioner is in peaceful possession and enjoyment of the property and that his name was mutated in the revenue records. The petitioner also filed proceedings of the Mandal Revenue Officer dated 18.11.2004 evidencing that their names are entered in Revenue records under Section 5(1) of the A.P. Rights in Land and Pattadar Passbooks Act.

3. The writ petition came to be admitted on 13.07.2005 and an interim order was also passed directing the respondent not to dispossess the petitioner from the land in question without following due process of law.

4. Heard learned counsel for the petitioner and the learned Assistant Government Pleader for respondent. Learned Assistant Government Pleader seeks time to file counter.

5. Considering the fact that the writ petition came to be admitted on

13.07.2005 and interim order was also passed on the same day, I am not inclined to accede to the request of the learned Assistant Government Pleader for further time for filing counter. *Prima facie*, the documents filed along with the writ petition evidence *prima facie* title and possession of the petitioner. The relief which has been sought for by the petitioner in this writ petition is that his rightful possession and enjoyment of the schedule land shall not be disturbed without following due process of law. In that view of the matter, the writ petition deserves to be allowed in terms of the prayer of the petitioner.

6. Accordingly, the writ petition is allowed. However, this order shall not preclude the authorities, if they have any claim with respect to the land in question, from initiating appropriate proceedings in accordance with law. No costs. Miscellaneous petitions, if any pending, shall stand closed.

CHALLA KODANDA RAM, J

21st September, 2015

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THE HON’BLE SRI JUSTICE CHALLA KODANDA RAM

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21st September, 2015

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