

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**

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WRIT PETITION No.24677 of 2015

Between:

Korapati Mohan Rao and another.

....Petitioners

and

State of Andhra Pradesh,
Rep.by Principal Secretary,
Irrigation & Command Area Development,
Andhra Pradesh Secretariat, Saifabad,
Hyderabad, and others.

....Respondents

DATE OF JUDGMENT PRONOUNCED: 06.08.2015

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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| 1. | Whether Reporters of Local newspapers may be allowed to see the Judgments? | Yes/No |
| 2. | Whether the copies of judgment may be Marked to Law Reporters/Journals? | Yes/No |
| 3. | Whether His Lordship wishes to see the fair copy of the Judgment? | Yes/No |

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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WRIT PETITION No.24677 of 2015

ORDER:

It is the case of the petitioners that they are in occupation of land of an extent of 1.25 cents in Survey No.612 of Kaikaram Village of Ungutur Mandal in West Godavari District. It is their further case that the said land was in occupation of their forefathers and the petitioners continued to be in possession of the same. While so, they submitted a representation to the third respondent for issuance of patta in respect of

the said land and the third respondent replied by his letter dated 19.12.2014 stating that an extent of Acs.6.82 cents in R.S.No.612 is recorded as Tallapuram Wire Canal and it is not possible to grant patta in respect of the said land. The petitioners state that no canal is passing over the said land. When the local political leaders tried to interfere with the said land, the petitioners filed a complaint on 07.05.2015. Now the petitioners state that the fourth respondent issued the impugned proceedings dated 27.07.2015 asking the petitioners to maintain *status quo*, failing which legal action would be taken. Challenging the said proceedings, the present Writ Petition is filed.

When this Court asked the learned Counsel for the petitioners to show the evidence of the title, learned Counsel placed before this Court the cist receipts in respect of the said land. Now, the impugned order is passed by the fourth respondent claiming the land as belonging to the Irrigation Department and the petitioners were asked to maintain *status quo*. Learned Counsel for the petitioners submits that seedlings are being planted in the said land and without following due process of law, the fourth respondent is interfering with the same.

In the circumstances, this Writ Petition is disposed of giving liberty to the petitioners to file objections with regard to the notice issued by the fourth respondent within a period of one week from the date of receipt of a copy of this order, and the fourth respondent shall consider the same and pass appropriate orders thereon. Till such time, the possession of the petitioners shall not be interfered by the fourth respondent.

The Writ Petition is, accordingly, disposed of. The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

06.08.2015

Note: Issue C.C by 10.08.2015.

B/o.

vs