

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 18992 of 2011

ORDER:

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Heard learned counsel for the petitioners and learned Government Pleader for Revenue appearing for the respondents. With the consent of the parties, the writ petition is disposed of at the admission stage itself.

The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of the respondents in trying to dispossess the petitioners from the land admeasuring Acs.6.20 cents in Survey No.136/5 situated at Kammavaripalli Village, Rangasamudram Mandal, Y.S.R.Kadapa District, as illegal and arbitrary.

The case of the petitioners is that the petitioners have been in possession of land to an extent of Acs.3.10 cents each in Survey No.136/5 situated at Kammavaripalli Village, Rangasamudram Mandal, Y.S.R.Kadapa District, for more than four decades. It is stated that the forefathers of the petitioners occupied the poramboke land and converted the same into agricultural land. It is also stated that the petitioners made an application before the revenue authorities seeking assignment of the land in their favour. As the said application was not considered, the petitioners approached the 2nd respondent, who in turn, seems to have directed the concerned authorities to consider the representation of the petitioners which is still pending consideration. The petitioners are said to have obtained electricity service connections and also dug a borewell for the purpose of cultivating the land. While things stood thus, on 21.06.2011, the subordinates of the 2nd respondent i.e., the Tahsildar and his staff are alleged to have directed the petitioners to vacate the land, failing which, threatened to

dispossess them by police force. Questioning the same, the present writ petition is filed.

Though various grounds are raised in the writ petition, the learned counsel for the petitioner restricts his prayer seeking a direction to the respondents not to dispossess the petitioners from the land, without following the due process of law.

The learned Government Pleader for Revenue submits that till date the process of dispossession has not been initiated and if the same has to be done, it would be in accordance with law.

Recording the submission made by the learned Government Pleader for Revenue, the Writ Petition is disposed of, directing the respondents not to dispossess the petitioners from the land admeasuring Acs.6.20 cents in Survey No.136/5 situated at Kammavaripalli Village, Rangasamudram Mandal, Y.S.R.Kadapa District, without following the due process of law. There shall be no order as to costs.

Consequently, miscellaneous petitions pending if any in the writ petition shall stand closed.

JUSTICE C. PRAVEEN KUMAR

26th August, 2015
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