

THE HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

WRIT PETITION No.43625 OF 2016

ORDER:

This Writ Petition is filed seeking to declare the action of respondents in attempting to dispossess the petitioners from their land in Survey No.44, admeasuring Ac.0-10 guntas situated at Raidurga Village, Serilingampally Mandal, Ranga Reddy District, as illegal and arbitrary.

The case of the petitioners is that their father late E. Gandaiah along with two others purchased an extent of Ac.4-34 guntas of land in Survey Nos.40, 41, 44 and 46 of Raidurga Village, Serilingampally Mandal, Ranga Reddy District, through an agreement of sale, dated 20.02.1971, from the original pattadars. Their father was half-share holder of the said property. The sale was validated by the competent authority i.e., Mandal Revenue Officer, under Section 5-A of A.P. Rights in Land and Pattadar Pass Books Act and the Mandal Revenue Officer issued 13-B Certificate under proceedings No.B/1319/90, dated 06.04.1993, following due procedure contemplated under the said Act. Their father was issued pattadar pass book and title deed to the extent of his share. When there was a boundary dispute in the year 1993, their father applied for demarcation and demarcation was done by conducting panchanama. After the death of their father, petitioners succeeded the property of their father. As the respondents are trying to dispossess the petitioners

from the subject property, without following due process of law, the petitioners preferred the present Writ Petition.

Heard learned counsel for the petitioners and learned Assistant Government Pleader for Irrigation.

Learned Assistant Government Pleader for Irrigation submits that on mere apprehension, the present Writ Petition is filed, and if the respondent authorities intend to take any steps against the subject property of the petitioners, the respondent authorities will follow due process of law.

In view of the above facts and circumstances and in view of the submission made by the learned Assistant Government Pleader for Irrigation, the Writ Petition is disposed of directing the respondents not to dispossess the petitioners from the subject property, without following due process of law.

Miscellaneous Petitions, if any, pending in this Writ Petition, shall stand closed. There shall be no order as to costs.

A. RAJASHEKER REDDY, J

December 15, 2016.
MD