

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.18598 OF 2016

ORDER:

The writ petition is filed challenging the action of the respondents in encroaching the petitioner's land in an extent of Ac.0.22 guntas in Survey Nos.26/A and 27/A of Chinna Darpalli Village, Hanwada Mandal, Mahaboobnagar District, under the guise of formation of 20 feet road from Chinna Darpalli Village to Bodigutta Thanda, without following the due process of law.

The case of the petitioner is that he is the absolute owner and possessor of Ac.6.08 guntas in Survey No.26/A and Ac.1.06 guntas in Survey No.27/A of Chinna Darpalli Village, Hanwada Mandal, Mahaboobnagar District. He is cultivating different crops in the said property and eking out his livelihood. While things stood thus, the respondent authorities encroached his land in an extent of Ac.0.22 guntas, without giving any prior notice under the guise of formation of road. It is further stated that the respondent authorities did not initiate any proceedings for acquisition of the land in question as per the Land Acquisition, Rehabilitation and Resettlement Act, 2013. Hence, the present writ petition.

Learned counsel for the petitioner submits that the respondent-authorities are making hectic efforts to dispossess the petitioner from the land in question even without following the due procedure of law for acquiring the land.

Learned Government Pleader for Panchyat Raj submits that the allegations made by the petitioner are false. If really the petitioner is to be evicted, the respondent-authorities would follow the due process of law and appropriate steps would be taken in accordance with law.

In the light of the submissions made by the respective counsel and in view of the admitted facts of the case that the petitioner is in possession and enjoyment of his land, his possession shall not be interfered with by the respondent-authorities without following due

process of law as enjoined whether under the Land Acquisition, Rehabilitation and Resettlement Act, 2013 or in any other law.

Accordingly, the writ petition is disposed of directing the respondents not to interfere with the possession and enjoyment of the petitioner except following due process of law. No order as to costs.

Consequently, the Miscellaneous Petitions, if any pending in this writ petition shall also stand closed.

CHALLA KODANDA RAM,J

Date: 14.06.2016

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