

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.16984 OF 2016

ORDER:

The writ petition is filed challenging the action of the respondents in resorting to de-silt the petitioners' agricultural lands situated in Sy.Nos.119, 135/E and 124 of Relakayalapalli Village, Singareni Mandal, Khammam District under the guise of di-siltation of the Peddamma Cheruvu without following the due process of law.

The case of the petitioners is that they are the absolute owners and possessor of the above said lands as their names were mutated in the revenue records. While things stood thus, on 30.05.2016 the respondents authorities along with their men came to the lands in question and tried to de-siltation of their lands even without giving any prior notice under the guise of di-siltation of the Peddamma Cheruvu. It is further stated that the respondents 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 petitioners submits that the respondents-authorities are making hectic efforts to dispossess the petitioners from the lands in question even without following the due procedure of law for acquiring the land.

Learned Government Pleader for Irrigation submits that the allegations made by the petitioners are false. If really the petitioners are to be evicted, the respondents-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 petitioners are in possession and enjoyment of their land, their possession shall not be interfered with by the respondents-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 petitioners except following due process of law. No order as to costs.

In view of the disposal of the main writ petition, Miscellaneous Petitions, if any pending in this writ petition shall also stand closed.

CHALLA KODANDA RAM,J

Date:01.06.2016.

Gk

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

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