

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.35775 OF 2016

ORDER:

This Writ Petition is filed by the petitioners under Article 226 of the Constitution of India seeking to declare the action of the respondents in interfering with their peaceful possession and enjoyment in respect of the lands admeasuring Ac.0-52 cents in Sy.No.519/3P, Ac.1-51 cents in Sy.No.519/4P, Ac.1-75 cents in Sy.No.520/1, Ac.0-67 cents in Sy.No.519/6, Ac.1-43 cents in Sy.No.519/5P, Ac.0-64 cents in Sy.No.519/5P of Mopur Village, Dakkili Mandal, SPSR Nellore District, and also in not making the entries in revenue records in terms of A.P. Rights in Land and Pattadar Pass Book Act, 1971, in respect of petitioners' land, as illegal and arbitrary and consequently to direct the respondents to effect mutation in revenue records.

Heard Sri S.V.Muni Reddy, learned counsel for the petitioners, as well as the learned Assistant Government Pleader for Revenue (AP). With their consent, the Writ Petition is disposed of at the stage of admission itself.

The learned counsel for the petitioners mainly submits that the petitioners were granted DKT Pattas in the year 1999, which was followed by possession. It is his case that though the petitioners are in possession of the lands by virtue of DKT pattas, the authorities are trying to dispossess them from the said lands without following due process of law.

Learned AGP submits that dispossessing the petitioners from the subject lands would not arise without following due process of law. He further submits that if the petitioners violate the conditions of DKT Patta, definitely their pattas would be cancelled.

Having regard to the rival submissions made, the Writ Petition is disposed of directing the respondents not to dispossess the petitioners from their respective lands without following due process of law. It is further made clear that if the respondents intend to initiate any proceedings against the petitioners, the petitioners shall be put on notice of the same.

Miscellaneous petitions pending in this writ petition, if any, shall stand closed. There shall be no order as to costs.

Date: 24.10.2016

Note : Issue C.C. by 26.10.2016

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C. PRAVEEN KUMAR, J