

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 9824 of 2016

ORDER:-

Heard learned counsel for the petitioner, learned Government Pleader for Revenue appearing for respondents 1 and 2, and learned Government Pleader for Roads & Building appearing for respondents 3 and 4.

The present writ petition came to be filed seeking issuance of a writ of mandamus declaring the action of the respondents in interfering with the peaceful possession and enjoyment of the petitioner's land admeasuring Ac.0.30 guntas in Survey No.85/I and Ac.1.02 guntas in Survey No.85/L of Kishtapur Village, Ramadugu Mandal, Karimnagar District, as illegal and arbitrary.

According to the petitioner, he is the absolute owner and possessor of the land mentioned above having purchased the same from its lawful owners by name J. Munaiah and others vide a registered Sale Deed dated 26.03.2013 for a valid consideration, and in consideration of the said purchase, the Tahsildar, Ramadugu Mandal, mutated his name in the

concerned revenue records. Since the date of purchase, he has been in peaceful possession and enjoyment of the same. While so, on 20.03.2016, respondents 3 and 4 got marked his land to a width of 2 meters on the pretext that it is required for expansion of the existing road without following due process of law and without taking an inch of land of others situated on the other side of the road and dumped the material in his land for laying the road. As there is no proper response from respondents 3 and 4 to the objection raised by him, the petitioner filed the present writ petition.

Since it is the grievance of the petitioner that the respondents 3 and 4 are interfering with the peaceful possession and enjoyment of his land without following due process of law, I am of the view that the writ petition can be disposed of at the admission stage with a direction to the respondents 3 and 4.

Accordingly, the Writ Petition is disposed of at the admission stage directing the respondents 3 and 4 not to interfere with the peaceful possession and enjoyment of the petitioner's land admeasuring Ac.0.30 guntas in Survey No.85/I and Ac.1.02 guntas in Survey No.85/L of Kishtapur Village, Ramadugu

Mandal, Karimnagar District, without following 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.

**CHALLA KODANDA RAM,
J**

28th March, 2016
cbs

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