

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.18103 OF 2016

ORDER:

The writ petition is filed challenging the action of the respondents in trying to dispossess the petitioner from his land for an extent of Ac.0.12 ½ guntas in Sy.No.125/RU and Ac.010 guntas in Sy.No.125/LU of Sidharam Revenue Village and Mandal of Khammam District for the purpose of excavation of feeder channel from N.T.R diversion canal to Bhimavaram and Sadasivapalem tanks without following the due process of law.

The case of the petitioner is that he is the absolute owner and possessor of the above said land as the same was inherited from his ancestors. While things stood thus, on 06.06.2016, the 4th respondent along with his men came to the property in question and tried to dispossess the petitioner even without giving any prior notice under the guise of excavation of feeder channel from N.T.R diversion canal to Bhimavaram and Sadasivapalem tanks. 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 petitioner submits that the respondents-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 Irrigation submits that the allegations made by the petitioner are false. If really the petitioner is 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 petitioner is in

possession and enjoyment of his land, his 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 petitioner 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:09.06.2016.
Gk

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

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