

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 25845 of 2016

ORDER:

The grievance of the petitioners is that the respondent authorities, in particular the 4th respondent Tahsildar, Tirupati Rural Mandal, is threatening to dispossess them from their land in an extent of Ac.0-02 cents in Sy.No.246 of Vedantapuram Village, Tirupati Rural Mandal, Chittoor District, without following the due process of law.

Heard learned counsel for the petitioners.

Learned Government Pleader for Revenue (Andhra Pradesh), on instructions, would submit that though the petitioners were granted pattas in respect of the above land, they are not in possession of the land, thus violating the conditions incorporated therein.

It is an admitted fact that the petitioners have been assigned house site pattas under ex-servicemen quota. So long as the pattas granted in their favour are subsisting, it cannot be presumed that they are not in possession thereof. Hence, the contention of the learned Government Pleader that the petitioners are not in physical possession of the subject land, cannot be accepted.

Therefore, the Writ Petition is allowed at the admission stage, directing the respondent authorities not to interfere with the possession of the petitioners over the subject land, without following due process of law. No costs.

Consequently, the Miscellaneous Applications, if any shall also stand disposed of.

CHALLA KODANDA RAM, J.

10th August 2016

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