

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD

**FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH**

**THURSDAY, THE ELEVENTH DAY OF AUGUST,
TWO THOUSAND AND SIXTEEN**

-

Present

HON'BLE SRI JUSTICE P.NAVEEN RAO

-

Writ Petition No.16315 of 2006

Between:

1. Earla Venkataiah, s/o. Balaiah, aged about 71 years,
r/o.Ramanjaneyapuram, H/. Madharam Village, Mulakalapally
Mandal, Khammam District and others.

.. Petitioners

AND

Special Deputy Collector (TW), Paloncha, Khammam District and
others.

.. Respondents

The Court made the following:

-

THE HONOURABLE SRI JUSTICE P. NAVEEN RAO

W.P.No.16315 of 2006

ORDER

This writ petition is filed praying to grant the following relief;

“to issue an appropriate writ, order or direction particularly one in the nature of mandamus declaring the action of respondents 1 to 3 herein in trying to interfere with petitioners’ possession and enjoyment to an extent of Ac.7.31 gts of land situate in Sy.Nos.123/5 to 20 in Ramanjaneyapuram, H/o.Madharam Village, Mulakalapalli Mandal, Khammam District, as illegal, without jurisdiction, without authority of law, violative of principles of natural justice, contrary to the provisions of A.P.Scheduled Area Land Transfer Regulation, also contrary to the order dated 17.12.1997 in LTR Case NO.1261/97/MKP of 1st respondent herein and also violative of Articles 14,21 and 300-A of the Constitution of India and issue a consequential direction to respondents 1 to 3 herein not to interfere with petitioners’ possession and enjoyment to an extent of Ac.7.31 gts of land situate in S.NO.123/5 to 20 of Ramanjaneyapuram H/o.Madharam Village, Mulakalapalli Mandal, Khammam District, on the basis of the order dated 17.12.1997 in LTR Case No.1261/97/MKP of 1st respondent herein and also proceedings in Rc.No.B/107/2005 dated 31.05.2005 of the 2nd respondent herein.’

2. Heard learned counsel for the petitioners and learned Government Pleader for Social Welfare for respondents 1 and 2 and learned Government Pleader for Revenue for respondent No.3.

3. According to petitioners and others, they purchased land to an extent of Ac.149.00 in Sy.Nos.123/5 to 20 from one Meer Farooq Lati Khan under sale deeds on 30.06.1962. Insofar this writ petition is concerned, petitioners claimed to have purchased land to an extent of Ac.7.31 gts. According to petitioners, they are in possession and enjoyment of the said land and have been eking out their livelihood by cultivation. Petitioners invoked the jurisdiction of this Court on the ground that the respondents, under the guise of implementation of

orders in L.T.R.Case No.1261/97/MKP and at the instance of 4th respondent, are trying to interfere with their possession and to dispossess them from the said land.

4. This Court, by order dated 04.08.2006, granted interim direction.

5. In the counter affidavit, the third respondent asserted that official respondents are not interfering with the possession and enjoyment of the land which petitioners claimed. It is further averred that the land assigned to 4th respondent is out of Sy.Nos.123/5 to 20 for which supplementary sethwari was issued and incorporated in village map. He, therefore, asserted that the official respondents are not evicting the writ petitioners from the land claimed by them.

6. In view of the categorical assertion of official respondents that they are not interfering with the possession and enjoyment of the petitioners, no cause survives for consideration of the claim of writ petitioners and no further orders are necessary in the writ petition.

7. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P. NAVEEN RAO, J

11th August, 2016
sj