

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.24394 OF 2016

ORDER:

The writ petition is filed challenging the action of the respondents in threatening to dispossess the petitioner from his lands admeasuring Ac.2.00 guntas in Sy.No.99/34, Pasigaam Village, Rebbena Mandal, Adilabad District under the guise of the Forest lands.

The case of the petitioner is that he belongs to schedule caste community and land less poor person and as such he was granted a patta No.174 for the land for an extent of Ac.2.00 cents in Sy.No.99/34, Pasigaam Village, Rebbena Mandal, Adilabad District. Since granting of the said land in favour of the petitioner, he has been in peaceful possession and enjoyment of the same without violating the terms and conditions of the patta and the petitioner is eking out his livelihood by doing cultivation of the above said land. While things stood thus, the respondents 5 to 7 along with their subordinates frequently visiting the petitioner's land and threatening him to evict from the land without giving any prior notice or to 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 Forests (T.S) 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 the 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:25.07.2016.
Gk

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

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