

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.22709 OF 2016

ORDER:

The writ petition is filed challenging the action of the respondents in earmarking in the lands of the petitioners i.e., the land admeasuring Ac.0.04 ½ guntas of the 1st petitioner, Ac.0.04 guntas of the 2nd petitioner and Ac.0.04 guntas of the 3rd petitioner situated in Sy.No.1491/1-4, Korutla Proper and Mandal, Karimnagar District under the guise of construction of mini tank bund to Maddulacheruvu of Korutla town without following the due process of law.

The case of the petitioner is that they are the absolute owners and possessors of the above said land as the 1st petitioner acquired the same from his father and the respondents 2 and 3 acquired the land through the registered sale deed dated 04.12.2007 and since then the petitioners have been in possession and enjoyment of the same. While things stood thus, on 30.06.2016, the respondent-authorities along with their men came to the above said land and earmarked under the guise of construction of mini tank bund to Maddulacheruvu of Korutla town without following the due process of law. 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 petitioners from the lands in question even without following the due procedure of law for acquiring the land.

Learned Government Pleader for Irrigation (T.G) submits that the allegations made by the petitioners are false. If really the petitioners are 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 petitioners are in possession and enjoyment of their land, their 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 petitioners 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:15.07.2016.

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THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

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