

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 40573 OF 2015

ORDER:

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Heard learned counsel for the petitioner and learned Government Pleader for Revenue. With the consent of both parties, the present Writ Petition is disposed of at the admission stage itself.

The present Writ Petition came to be filed seeking to declare the action of the respondents in interfering with the possession and enjoyment of the land of the petitioner situated in Survey No.6 admeasuring Acs.3.45cents situated at Kondapavuluru Village, Gannavaram Mandal, Krishna District, as illegal and arbitrary.

The averments in the affidavit filed in support of the Writ Petition would show that the petitioner who was an ex-service man was assigned land to an extent of Acs.3.45cents situated in Survey No.6 of Kondapavuluru Village, Gannavaram Mandal, Krishna District, vide proceeding No.RCA/1019/99. Thereafter, pattadar pass books and title deeds were also issued in the year 2000. It is stated that pursuant to the orders passed by Revenue Divisional Officer, Nuzvid, status of the land was changed, the sub division also took place and the name of the petitioner was also incorporated in the pahani adangals for the years 2010-2011, 2011-2012, 2013-2014 and 2014-2015. On 21.11.2015, the respondents started interfering with the possession of the petitioners by erecting red flags. The said act was also done in the adjoining land belonging to Gonepalli Vajramma and Gonepalli Suresh. Challenging the action of the respondents, the present Writ Petition is filed.

The grievance of the petitioner is that the respondents are willfully trying to dispossess them from the land, without following due process of law.

Learned Government Pleader submits that they will follow due process of law, if any action is warranted against them.

In fact, in similar circumstances, this Court in W.P.No.39243 of 2015, filed by Gonepalli Vajramma and Gonepalli Suresh, disposed of the same, directing the fourth respondent therein not to initiate any action without following due process of law.

In view of the above, the present Writ Petition is disposed of directing the respondents not to dispossess the petitioner from the land in question, without following due process of law. No costs.

Consequently, the Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE C. PRAVEEN KUMAR

06.01.2016

Note:

Issue CC in two days.

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