

HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

W.P.No.37520 of 2014

Date : 28-01-2016

Between :

Akella Srinivasa Rao and another ..
Petitioners

And

The State of Andhra Pradesh,
Represented by its Principal Secretary,
Panchayat Raj Department,
Secretariat, Hyderabad and others ..
Respondents

Counsel for petitioners : Mr. V.L. Surendra for Mr. Y.
Lakna Reddy

Counsel for respondent Nos.1 & 3 : Assistant Government
Pleader

for Panchayat Raj (AP)

Counsel for respondent No.2 : Assistant Government
Pleader

for Revenue (AP)

Counsel for respondent No.4 : Mr. Ravi Cheemalapati

The Court made the following :

ORDER:

This Writ Petition is filed with the grievance that respondent No.4 has encroached upon the petitioners' lands. The further grievance of the petitioners is that the representations made to the official respondents have not yielded any result.

In support of their plea that their lands have been encroached upon by respondent No.4, the petitioners have filed a copy of the survey report of the Mandal Surveyor, Kakinada (R) in respect of the land of petitioner No.1. On a careful reading of the survey report, it appears that an extent of 115.45 sq. yards belonging to petitioner No.1 is surrounded by a compound wall raised by respondent No.4 and merged with burial ground.

In the light of the above mentioned survey report, respondent No.3 shall hold an enquiry after notice to the petitioners and respondent No.5 and decide whether respondent No.4 is in possession of any part of the land belonging to the petitioners. After completion of the

enquiry, respondent No.3 shall direct respondent No.4 to restore the petitioners' land to them if it is found that the said respondent is in possession thereof. If, on the contrary, respondent No.3 finds that no part of the petitioners' land is encroached upon by respondent No.4, he shall pass a detailed speaking order and communicate the same to the petitioners. Respondent No.3 shall complete this exercise within a period of two months from the date of receipt of this order.

Subject to the above directions, the Writ Petition is disposed of.

As a sequel to the disposal of the Writ Petition, WPMP No.46956 of 2014 is disposed of as infructuous.

Justice C.V. Nagarjuna Reddy

Date : 28-01-2016

AM