

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No. 37188 of 2016

ORDER:

Heard learned counsel for the petitioner, learned Government Pleader for Revenue and learned Standing Counsel for respondent No.5.

2. With the consent of both the parties, the Writ Petition is disposed of at the admission stage.

3. The present Writ Petition came to be filed seeking issuance of writ of Mandamus, declaring the proposed action of the respondents in trying to take possession of land admeasuring Acs.15.95 ½ cents situated in RS Nos.1547, 1548, 1549 and 1562 of Vaddegudem Village, Veeravasaram Mandal, West Godavari District, without due process of law, as illegal and arbitrary and for a consequential order to drop all further proceedings in this regard.

4. Learned counsel for the petitioner mainly submits that though the petitioner is in possession of the land and the same being a patta land, the authorities are trying to interfere with the same on one pretext or the other without following due process of law.

5. Learned Government Pleader for Revenue, on instructions, submits that respondent Nos.1 to 4 never entered into the private lands of the petitioner and respondent No.3 has no intention to

take over the private land of any individual without initiating land acquisition proposals. It is stated that the proposed road which is about 25 feet is being laid through Survey Nos.1522, 1523/2, 1524, 1525, 1551, 1552 and 1561 which is a Government land. Hence, the apprehension of the petitioner that the authorities are trying to interfere appears to be misconceived. In any event, he submits that if the authorities intend to take land of the petitioner, they shall follow due process of law.

7. With the above direction, the writ petition is disposed of directing the authorities not to dispossess the petitioner from the land admeasuring Acs.15.95 ½ cents situated in RS Nos.1547, 1548, 1549 and 1562 of Vaddegudem Village, Veeravasaram Mandal, West Godavari District, without following due process of law.

8. Miscellaneous petitions, pending if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE C.PRAVEEN KUMAR

03.11.2016,
vhh