

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 46293 of 2016

ORDER:

1) Heard learned counsel for the petitioners and Government Pleader for Revenue. With consent of both the parties, the writ petition is being taken up for disposal at the admission stage itself.

2) The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of the respondents in canceling the assignments made in favour of the petitioners and preventing the petitioners from cultivating the lands in Gani Village, Gadivemula Mandal, Kurnool District and handing over the said lands to the fifth respondent without following due process, as illegal and violation of Articles 14, 19 (g), 21 and 300-A of the Constitution of India; and consequently direct the respondent authorities to restore the possession immediately.

3) Learned counsel for the petitioners submits that though the petitioners have not violated any conditions of the assignment pattas and an appeal preferred by the petitioners is pending before the third respondent, the respondent-authorities are highhandedly fenced the land and are preventing the petitioners from entering into the land.

4) The Government Pleader for Revenue submits that possession of the property was already taken over, but the said

fact is seriously disputed by the learned counsel for the petitioners.

5) Having regard to above, the present writ petition is disposed of, directing the third respondent to dispose of the appeal, if any, made by the petitioners questioning the action of the fourth respondent, in accordance with law, as expeditiously as possible, preferably, within a period of six (06) weeks from the date of receipt of a copy of the order. Till such time, *status quo* as on today shall be maintained with regard to the property in all respects. There shall be no order as to costs.

6) Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

29.12.2016
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JUSTICE C. PRAVEEN KUMAR

