

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION Nos.39337 & 40157 of 2015

COMMON ORDER:

The petitioners in W.P.No.39337 of 2015 complain dispossession from plot Nos.72, 67, 73 and 41 and petitioners in W.P.No.40157 of 2015 complain dispossession from plot Nos.85, 86, 18 and 10 in Survey Nos.68 and 69 of Garikapadu Village, Krosuru Mandal, Guntur District, without recourse to law, as illegal and unconstitutional.

2. Respondent No.4 filed counter-affidavit in W.P.No.39337 of 2015 and paragraph 9 deals with the allegation of petitioners and dispossessing the petitioners from subject plots, which reads thus:

“It is submitted that in the wake of facts and circumstances narrated in the fore going paras, it is submitted that this petitioner has suppressed real facts. His apprehension that Respondent authorities are attempting to cancel his house site patta under the pressure of some political leaders of Ruling party is baseless and also not sustainable. It is submitted that the Respondent already issued notice to the petitioner seeking their explanation for reasons of non occupying the assigned land even after long lapse of time. It is submitted appropriate action will be taken in the matter in accordance with law only. Without following due process of law, Respondents will not take any action as against the petitioner. Hence the writ petition filed by the petitioner is liable to be dismissed.”

3. From the above it is clear, respondents if intend to proceed against the beneficiaries would do by following the procedure stipulated by law.

4. Accordingly, writ petitions are disposed of by directing respondents not to interfere or cancel assignment except as provided by law. The petitioners as and when receive notices are entitled to not only raise objections for a notice issued in this behalf, but are given liberty to place before the Authorities the reasons for not proceeding with the construction or lack of complete amenities in the area. The objections so pointed out are also taken note while proceeding further in this behalf.

5. Miscellaneous petitions, if any pending in both writ petitions, shall stand closed. No order as to costs.

23rd June 2017

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S. V. BHATT, J

