

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 27460 of 2017

Date :1.9.2017

Between :

Smt B Annapurna W/o late Subrahmanyam
55 years R/o Jeepalem village, Renigunta mandal
Chittoor district and others

Petitioner

And

State of A P
Rep by its Principal Secretary, Revenue Department,
Secretariat, Velagapudi, Guntur and others

Respondents

The Court made the following:



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ORAL ORDER:

According to petitioners, husband of first petitioner was assigned land to an extent of Ac.1.55 cents in Survey NO. 202/1, Chandragiri taluq, G.Palem village, Renigunta mandal, Chittoor district and second and third petitioners were also assigned land to an extent of Ac.1.55 cents and Ac.1.00 cents respectively in Survey Nos. 202/2 of the same village. Petitioners are in possession and enjoyment of the said property. Earlier also, based on some frivolous complaints, enquiry was conducted but no action was taken, however, now respondents are trying to interfere with the possession and enjoyment of petitioners and threatening to dispossess them. Apprehending alleged dispossession, this writ petition is filed.

2. On instructions, learned Government Pleader submits that the competent authority has found that in violation of the assignment conditions, petitioners have converted the land for commercial purposes and seeking to convert the land as house sites and to undertake civil constructions, whereas, land assigned was for agricultural purposes, therefore appropriate action would be taken. Learned Government Pleader fairly submits that so far no action is taken and respondents will follow due process as required by law before evicting the petitioners.

3. In view of the statement of the learned Government Pleader made on instructions of the competent authority, the apprehension expressed by the petitioners is ill-founded; as of now, there is no cause of dispossession and the possession of the petitioners is not disturbed but what is objected to, it appears is, conversion of the agricultural land for non-agricultural purposes. If what is contended by the learned

Government Pleader is true, it is open to the Government to take appropriate action as warranted by law, by following due process and without following due process of law, petitioners shall not be dispossessed. Further, it is made clear that petitioners shall not alter the status of the land as originally assigned to them i.e., they shall not change the nature of land from agriculture to non agriculture.

4. Accordingly, the writ petition is disposed of. No costs. Having regard to the same, miscellaneous petitions, if any pending, are closed.

DATE:1.9.2017
TVK

P. NAVEEN RAO,J



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