

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.40175 OF 2012 &
CONTEMPT CASE No.263 OF 2016

COMMON ORDER:

The case of the petitioners is that they were assigned lands to an extent of Ac.49.35 guntas in Survey Nos.192, 195 and 361 of Sivayagudem, Koyachalaka and Manchukonda Villages, Khammam Urban Mandal, Khammam District and that the respondents without issuing any notice to the petitioner or following due process of law are trying to dispossess the petitioners from the said lands.

The 3rd respondent filed counter stating that the land in Survey No.192 of Koyachalaka Village, Khammam Urban Mandal is a government land and the government has assigned the said land to the various land less poor persons including the petitioner Nos.1 to 15 & 17 herein; that the extents assigned to the petitioner Nos.1 to 15 & 17 in Survey No.192 are shown in a separate list, which is enclosed and that the petitioners 1 to 4, 10, 14 and 17 violating the conditions, have sold part of their lands i.e. Ac.14.06 guntas out of their total assigned land i.e. Ac.27.19 guntas to the third parties and hence the said Ac.17.06 guntas of land which were sold to the third parties were resumed by following the due process of law. It is further stated that the petitioner Nos.6, 8, 9, 12, 13 & 15 were in possession of extra land (i.e. Ac.3.20 guntas) of government, unauthorizedly apart from their assigned lands and as such, the said excess land was also taken over from them by following due process of law. It is also stated that out of the total extent i.e. Ac.27.19 guntas which is assigned to the petitioners, the government has resumed Ac.17.06 guntas in Survey No.192 and the

same was made into plots and allotted to weaker section society people and in major portion of the said land, the new allottees have constructed their houses and living in the said houses. It is further submitted that the petitioners have not challenged the said proceedings of resumption orders or the orders passed under the provisions of APLE Act and hence the said orders have become final.

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Revenue.

In view of the above facts and circumstances it is open for the petitioners 1 to 4, 10, 14 and 17 to challenge the resumption orders and since it is stated that no action is being taken against the other petitioners i.e. petitioners 6, 8, 9, 12, 13 & 15, who occupied the government land in excess, unauthorisedly, recording the same, the writ petition is disposed of. No order as to costs.

In view of the disposal of writ petition, the Contempt Case is closed. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

02.01.2017
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