

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

W.P. No.20896 OF 2008

ORDER :

This Writ Petition has been filed by the petitioner to declare the action of the respondents in trying to dispossess the petitioner from his land admeasuring Acres 3-29 cents in survey Nos.31, 33/4 and 34/1 in Koppavaram Sivar of Lakshminarasapuram village, Anaparthi Mandal, East Godavari District, without following due process of law.

2. Pending the Writ Petition, the sole writ petitioner died and his legal representatives have been brought on record.

3. It is stated in the affidavit filed in support of the Writ Petition that though the petitioners are holding subject land as non-surplus land holders under the provisions of the A.P. Land Reforms (Ceiling on Agriculture Holdings) Act, 1973, but the 3rd respondent is contending that the land is surplus land and is attempting to dispossess the petitioners from the subject land.

4. Counsel for the petitioner contends that without following due process of law respondents cannot be allowed to interfere with their possession on the subject land, since it would be violative of articles 14 and 300A of the Constitution of India.

5. The Government Pleader for Revenue appearing for respondent states that the respondents would follow due process of law, if they wish to interfere with the possession and enjoyment of the petitioner over the subject land.

6. In view of the said submission, this Writ Petition is disposed of directing the respondents not to interfere with the possession and enjoyment of the petitioners of the subject land without following due process of law. There shall be no order as to costs.

7. Miscellaneous petitions pending if any, shall stand closed.

09th February, 2017
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M.S. RAMACHANDRA RAO, J

