

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.17388 of 2017

ORDER:

Heard Sri K.Sinivas for petitioners and the Assistant Government Pleader (Revenue) for respondents 1 to 4.

The petitioners pray for Mandamus declaring the action of respondents 4 and 5 in trying to dispossess the petitioners from agricultural lands in an extent of Ac.3-02 cents in Sy.No.146/2, Ac.1-66 cents in Sy.No.144/1, Ac.0-38 cents in Sy.No.144/3, Ac.0-46 cents in Sy.No.146/4 and Ac.1-63 cents in Sy.No.146/6 of Rapthad Village and Mandal, Ananthapur District, as illegal and unconstitutional.

The petitioners among other allegations for invoking the jurisdiction of this Court under Article 226 of the Constitution of India state as follows:-

“... It is submitted that the unofficial respondents herein influencing the respondents 4 to 6 by fabricating the forged documents and trying to disturb the petitioners possession and enjoyment in the subject land. When the petitioners are doing their agricultural activities, on 19.05.2017 the unofficial respondents came to the petitioners land alongwith respondents 4 to 6 and trying to dispossess the petitioners without their being any authority of law and relevant title deeds in favour of them....”

Hence, the writ petition.

The Assistant Government Pleader (Revenue) on instructions submits that the writ petition is filed without cause of action, for according to her instructions, respondent Nos.4 and 5 are not interfering with the state of affairs stated in the affidavit and she objects to the filing of writ petition against respondents 6 and 7 for it is a bare and simple dispute between petitioners and respondents 6 and 7 and the remedies against interference if any by respondents 6 and 7, will have to be worked out before competent court.

The statement of Assistant Government Pleader is placed on record.

The writ petition is disposed of by leaving it open to the petitioners to work out remedy vis-à-vis respondents 6 and 7 are concerned, if at all there is any interference with the possession and enjoyment of petitioners, in a properly instituted suit before competent court.

Miscellaneous petitions, if any, pending, shall stand closed.
No order as to costs.

S. V. BHATT, J

Dt: 02-06-2017
Prv

