

**THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR**

**WRIT PETITION No.21533 OF 2017**

**ORDER:**

This Writ Petition, under Article 226 of the Constitution of India, came to be filed seeking to declare the action of the third respondent in interfering with the possession and enjoyment of the petitioners in respect of subject lands situated at Adigarlapalem Village, Thutipala Panchayat, Makavarapalem Mandal, Visakhapatnam District, as illegal and arbitrary.

Heard the learned counsel for the petitioners and the learned Assistant Government Pleader for Home for respondents. With their consent, the Writ Petition is disposed of at the stage of admission itself.

A perusal of the material on record would reveal that earlier the petitioners filed W.P.No.18022 of 2007 before this Court alleging interference by the then MRO at the instance of the unofficial respondents therein. Now, the grievance of the petitioners is that in respect of the very same properties, the Police are interfering with the possession and enjoyment of the petitioners.

Learned AGP denies the allegations made in the affidavit filed in support of the writ petition stating that the third respondent never interfered with the possession and enjoyment of the petitioners over the subject lands.

Having regard to the submissions made by both the parties, the Writ Petition is disposed of directing the respondents-Police not to interfere with the possession and enjoyment of the petitioners

over the subject lands situated at Adigarlapalem Village, Thutipala Panchayat, Makavarapalem Mandal, Visakhapatnam District, except following due process of law. However, if they intend to take any action against the petitioners, the same shall be in accordance with the procedure established under law.

Miscellaneous petitions pending in this writ petition, if any, shall stand closed. There shall be no order as to costs.

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**C. PRAVEEN KUMAR, J**

03.07.2017

Note : Issue CC in three days.

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