

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.11811 of 2017

ORDER:

Heard learned counsel for the petitioners and Sri Nimmagadda Venkateswarlu, learned Standing counsel for Yeleswaram Nagara Panchayat, 2nd respondent.

Learned counsel for the petitioners submits that the petitioners' father, late Sri Nookaraju, owned the land admeasuring Ac.14.90 cents in Sy.No.209 of Yeleswaram Village and Mandal, East Godavari District, having purchased the same through registered sale deed, dated 16.03.1959, vide document No.561/1959. He further submits that the petitioners and their brothers have partitioned the above said property and each of them got an extent of Ac.2.13 cents and out of which the 1st petitioner gifted Ac.1.00 of his land to his daughter at the time of her marriage in 2016 and that in the subject land there is a banana garden to some extent and the revenue authorities have issued pattadar pass books and title deeds and IB register and adangal show that the petitioners are the owners and possessors of the subject property. It is alleged in the affidavit filed in support of the writ petition that the 2nd respondent, without initiating any proceedings either under the Land Acquisition Act or any other enactment, is trying to lay the road in the land belonging to the petitioners.

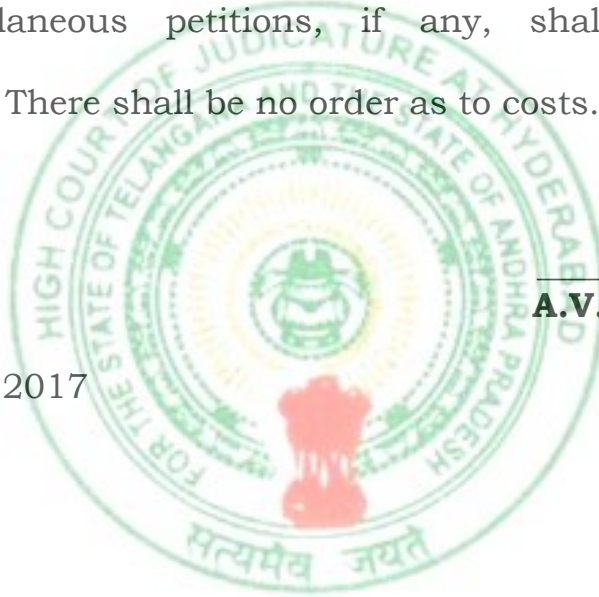
When the matter is taken up, it is submitted by the learned Standing counsel for the 2nd respondent –

Yeleswaram Nagara Panchayat, that if the land of the petitioners is required, the 2nd respondent will follow the due process of law.

Recording the said submission, the writ petition is disposed of, directing the respondents not to meddle with the subject property of the petitioners except as per law. It is also made clear that it is open for the respondents to proceed in accordance with law, if the private property of the petitioners is required for any public purpose.

Miscellaneous petitions, if any, shall also stand disposed of. There shall be no order as to costs.

Date: 03.04.2017
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A.V.SESHA SAI, J