

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.18606 OF 2017

ORDER:

The petitioner claiming to be the owner of the landed property of an extent of Acs.2.05 cents in Survey No.67/4 of Kondagattu Revenue Village of Kamavarapukota Mandal, West Godavari District, filed the present writ petition challenging the action of the respondents 1 to 3 in insisting the petitioner to vacate from a portion of the said land in order to provide road to the land of the fourth respondent without acquiring the same.

Even after issuance of notice to the fourth respondent, none appeared for the fourth respondent.

The second respondent filed a counter affidavit stating that they never interfered with the petitioner's possession and if at all they want to interfere with the same, they would follow due process of law. It is further stated in the counter affidavit that the land in Survey No.67/4 is classified as 'tank' in the revenue records and the second respondent is not aware of the patta existing in the name of the petitioner.

Whether the petitioner is entitled to continue the possession of the said land or not, need not be decided in the present writ petition in view of the stand taken by the respondents 1 to 3 that they are not interfering with the possession of the petitioner. However, if the second respondent wants to take appropriate steps against the petitioner, they shall follow due process of law by issuing appropriate notice to the petitioner.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any pending, in this writ petition, shall stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO, J

03.10.2017
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