

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

WRIT PETITION Nos.22392 and 22562 of 2017

COMMON ORDER:

Heard learned counsel for petitioners, Sri Bobbili Srinivas, learned counsel, who offers to file vakalat for respondent No.2, learned Government Pleader for Land Acquisition representing respondent No.3 and Sri G.Seshadri, learned Standing Counsel for Panchayat and perused the prayer in the writ petitions with the supporting affidavits.

2) It is the contention of the petitioners in both the writ petitions that the respondents are trying to interfere with the possession and enjoyment of the petitioners for the land admeasuring Ac.4.00 cents and Ac.2.00 cents respectively in survey No.13 of Avilala Village, Tirupati Rural Mandal, Chittoor District.

3) The writ petitions are bereft of particulars as to when and which respondents interfered and with what claim, if at all the respondents 3 and 4 are trying to interfere why the petitioners in both the writ petitions did not issue any notice.

4) According to 2nd respondent, the averments of the writ petitions are false and there is no manner of right and the alleged interference by respondents is a created cause and the property is in possession and enjoyment of the 2nd respondent—mutt.

5) It is hardly believable that the official respondents 3 and 4 are any way interfering for the petitioners to maintain the writ petitions against them so also 1st respondent—State and coming

to 2nd respondent even to rely on a scrap of paper of earlier acquisition in 1989. There is nothing before this Court as to whether such tenancy really subsists even date. Even if at all efficacious remedy is to approach the Tenancy Tribunal.

6) Having regard to the above, the writ petitions are disposed of, for nothing more to adjudicate. Needless to observe the respondents 3 and 4 shall not interfere with the possession of the land either for the petitioners or 2nd respondent for which there is no material to make any expression but for except through due process of law.

7) Consequently, miscellaneous petitions, if any shall stand closed. No costs.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 13.07.2017
Knl

