

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.14604 OF 2005

ORDER:

The present Writ Petition, under Article 226 of the Constitution of India, came to be filed with the following prayer:

“..to issue a Writ of Mandamus or any other appropriate writ order or direction declaring the action of the respondents in preventing the petitioner from entering into his land of Ac.5-00 in S.No.594 of Mocherla Village, Gudlur Mandal, Prakasam District, which was assigned to him by the Mandal Revenue Officer, Gudlur under D-Form Patta in F.Dis No.5/1409 dated 20.10.1999 as violative of the fundamental rights guaranteed under Article 14 and 21 of the Constitution of India and illegal, arbitrary and highhanded and issue consequential directions to the respondents to permit the petitioner to cultivate the said land.”

2. Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

3. A perusal of the record would show that by an order dated 07.07.2005, this Court while issuing *rule nisi*, granted interim stay restraining the respondents from interfering or dispossessing the petitioner from the land in question without following due process of law.

4. No counter has been filed by the respondents till date, however, learned Government Pleader, on instructions, would submit that if the petitioner is in possession of the land in question,

respondent authorities will not dispossess the petitioner without following due process of law.

5. Recording the said submission and in view of the interim order, dated 07.07.2005, the Writ Petition is disposed of directing the respondents not to interfere with the peaceful possession and enjoyment of the petitioner over the land admeasuring Ac.5.00 cents in Sy.No.594 of Mocherla Village, Gudlur Mandal, Prakasam District, if he is in possession of the land as on today, without following due process of law.

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

Date:03.08.2017
INL

JUSTICE C. PRAVEEN KUMAR

