

HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

Writ Petition No.600 of 2010

ORDER:

The relief sought for in this Writ Petition is to declare the action of the official respondents, in trying to dispossess the petitioners from the schedule land which they claim to own, as arbitrary and illegal.

While the petitioners place reliance on a document relating to the year 1943 to contend that they own the subject land, the case of the Government is that the subject land is government land. Reliance is placed on the proceedings of the Tahsildar, Kankipadu dated 12.12.2009 which refers to some site enquiry having been caused. Even if, as is now contended by the Learned Government Pleader for Revenue, the petitioners had encroached upon Government land, they can only be evicted therefrom in accordance with law, after they are put on notice and are given an opportunity of being heard.

Suffice it, therefore, to dispose of the Writ Petition directing the respondents not to take any coercive measures to evict the petitioners from the subject land except in accordance with law, and after putting them on notice, and after giving them an opportunity of being heard.

The Writ Petition is, accordingly, disposed of. The miscellaneous petitions pending, if any, shall also stand disposed of. There shall be no order as to costs.

RAMESH RANGANATHAN, ACJ.

Date:27.10.2017.

cs