

HON'BLE SRI JUSTICE S.V. BHATT

W.P. No.11938 OF 2016

ORDER:

Heard Mr.G.Madusudhan Reddy for petitioner and the Assistant Government Pleader (Assignment) for respondents.

The petitioner complaining unauthorised and illegal interference with petitioner's possession and enjoyment of an extent of Ac.1-40 cents in Survey No.246 of Lam Village, Tadikonda Mandal, Guntur District has filed the instant writ petition.

The petitioner alleges that the petitioner purchased the property through registered sale deeds vide document No.2187 dated 20.09.2003 and document No.3943/2007 dated 20.10.2007 respectively. He claims to be in possession and enjoyment and the possession and enjoyment shall not be disturbed except in accordance with law.

The counsel for petitioner submits that though a few of the areas are in dispute between the petitioner and the respondents, having regard to the stand spelt out in Paragraph Nos. 14 and 15 of the counter affidavit of respondent No.4, which is excerpted hereunder, he requests the Court to place the statement on record and dispose of the writ petition.

"In reply to Para 17 of the affidavit, it is submitted that the S.No.246 is not having any sub divisions such as 245/1 as denoted by the petitioner and the total extent is Ac.1-40 cents only which is subjected in this WP. Being a legitimate authority for invoking and implementing the

Statutes of the State this respondent herein has not initiated any steps till today without following due process of law. And did not interfere with the land an extent of Ac.1-40 cents in S.No.246. It is submitted that we reserve our right to file Additional Counter if necessary.

In light of the above facts and circumstances, it is finally submitted that the respondents never interfered with the land in S.No.246 of Lam Village for an extent of Ac.1-40 cents without following due process of law. It is submitted that on mere apprehension the Writ Petition is filed.”

The writ petition is disposed of by placing on record the above statement of respondent No.4. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

Date:25.07.2017
Sp



S.V.BHATT, J

