

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

W.P.No.11595 of 2008

ORDER:

This Writ Petition has been filed by the petitioner challenging the action of respondents 4 and 5 in attempting to demolish tombs situated in an extent of Ac.0.29 cents in Sy.No.119/3 of Patha Kadapa Village, Kadapa Mandal & District and also in attempting to take possession of the same.

Counter-affidavit has been filed by respondents 4 and 5 wherein it is asserted that respondents 4 and 5 have never attempted to bring down the tombs or issued instructions to any of their officers to dismantle them. It is further stated that respondents 4 and 5 do not intend to take possession of the land in question in a highhanded manner, nor do they intend to convert the burial ground into the tourism spot. It is also stated respondents 4 and 5 are not doing any ground work for development of tourism spot as alleged by the petitioner and that they are only operating a boating unit in the lake adjacent to burial ground without touching the burial ground.

In view of the stand taken by respondents 4 and 5 that they are not interfering with the rights of the petitioner's community over the subject land, the Writ Petition is dismissed as infructuous. No costs.

As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 25-01-2017

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