

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.9903 of 2013

ORDER:

The grievance of the petitioner is that respondents are trying to interfering with the petitioner's peaceful possession and enjoyment of land and constructing compound wall for an extent of 50 square yards situated in Plot No.289, in Sy.No.7/1 of Darlapalem Village, Visakhapatnam Rural Mandal, Visakhapatnam District.

In the counter filed by the 3rd respondent-Tahsildar, it is stated that the respondents never interfered with the possession of the land in Sy.No.7/1 of Mudasarlova Village. There is a huge extent of Government land (adjacent to the subject land in Sy.No.7/1) in Sy.No.20 of Mudasarlova Village of Visakhapatnam Rural Mandal, the regular duties of the field functionaries is to inspect the Government lands under their jurisdiction and prevent the unauthorized encroachments if any found in the Government lands and safe guard the Government property. It is further submitted that as per the averments of the writ petition, the petitioner has purchased an extent of 150 square yards in Sy.No.7/1 of Mudarlova vide Document No.3032/2012, dated 23-07-2012. The 3rd respondent has nothing to do with Sy.No.7/1 and he has never entered into said survey number. As such, there is no need to issue any notice to the writ petitioner for entering into Government land located in Sy.No.20 of Mudasarlova Village. The 3rd respondent is not responsible for the acts of purchases made by the petitioner in Sy.No.7/1. Any person can

claim title over the Government land only in cases of assignments under political sufferer/Ex-serviceman category and for the government lands purchased in auctions conducted by the Government only. It is further stated that it is the responsibility of the writ petitioner has to pre-verify the survey number, classification and ground position is tallied or not and to confirm whether any Government Land is involved or not.

Recording the same, this writ petition is disposed of. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed.

16-03-2017
nvl



A.RAJASHEKER REDDY