

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.8840 of 2017

ORDER

This writ petition is filed by the petitioners challenging the order dated 24.08.2015 passed in LTR Case No.1 of 2014/TKP, dated 24.08.2015.

It is the case of the petitioners that brother of the 1st petitioner viz., Gudipudi Venkaiah purchased an extent of 20 guntas of land in Sy.No.698 of Tekulapalli Village & Mandal, Bhadradri-Kothagudem District, from one Joga Dhammaiah on 15.10.1947. The said Gudipudi Venkaiah subsequently died leaving the petitioners as his legal heirs and since then, they have been in possession and enjoyment of the same. While so, they came to know that at the instance of respondents 4 and 5, an order was passed by the 2nd respondent on 24.08.2015 in LTR Case No.1/2014/TKP against one Annavarapu Kalyani in respect of an extent of Ac.7.21 guntas of land in Sy.No.698 of Tekulapalli Village. In pursuance of the said order, respondents 2 and 3 are taking steps for evicting the petitioners as stated above. The interest of the petitioners is only to an extent of 20 guntas of land out of the said extent of Ac.7.21 guntas. The petitioners are not parties to the said proceedings before the 2nd

respondent. Even if the petitioners are not parties to the proceedings before the 2nd respondent and when their rights are affected, it is always open to the petitioners to file an appeal before the competent authority.

Since the claim of the petitioners is that the said extent of 20 guntas of land was purchased in the year 1947 and they have been in continuous possession and enjoyment of the same till date, liberty is given to them to file an appeal before the appellate authority within 30 days from today, challenging that portion of the order which affected the petitioners in LTR Case No.1/2014/TKP. Till disposal of the appeal, the petitioners shall not be dispossessed from the land in an extent of 20 guntas in Sy.No.698 of Tekulapalli Village, Bhadradri-Kothagudem District, If the petitioners do not file the appeal within 30 days from today, in spite of giving liberty, it is open to respondents 2 and 3 to take necessary action in accordance with law.

Accordingly, the Writ Petition is disposed of. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

18th April, 2017
rkk

