

THE HONOURABLE Dr.JUSTICE B.SIVA SANKARA RAO

WRIT PETITION No.20343 of 2017

ORDER :

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:

“to issue an appropriate Writ, Order or direction more one in the nature of Writ of Mandamus to declare the action of the respondent in digging the patta lands for an extent of Ac.4.14 guntas of the 1st petitioner in Survey No.17A and Ac.4.14 guntas of the 2nd petitioner in Survey No. 17 AA situated at Laxmipally village, Chinnambavi Mandal, Wanaparthy District under Mission Kakathiya for creation of bund as illegal, arbitrary and violative of Article 14, 19, 21 and 300A of the Constitution of India and consequently direct the respondent not to interfere with the possession of the petitioners land for an extent of Ac. Ac.4.14 guntas of the 1st petitioner in Survey No.17A and Ac.4.14 guntas of the 2nd petitioner in Survey No. 17 AA situated at Laxmipally village, Chinnambavi Mandal, Wanaparthy District without acquiring the petitioners lands as per law and pass such other order or orders as it may deem fit and proper in the circumstances of the case.”

Heard learned counsel for the petitioners and learned Government Pleader for Irrigation appearing for respondents and perused the prayer in the writ petition with supporting affidavit and other material on record.

When the matter is taken up, the written instructions dated 28.06.2017 furnished by the Executive Engineer, Irrigation & CAD Department, I.B.Division, Wanaparthy, have been placed on record by the learned Government Pleader stating that the Authorities are not interfering with the so called property of the petitioner covered by the prayer of the writ petition.

Having regard to the above, recording the instructions dated 28.06.2017, the Writ Petition is disposed of with an observation that if at all any land of the petitioners is required by the Government for the Mission Kakatiya or any other public purpose, the respondent-Authorities have to take legal recourse and shall not interfere except under due process of law.

Accordingly, this Writ Petition is disposed of at the stage of admission. No order as to costs.

Consequently, miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed.

Date:04.07.2017
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Dr. B.SIVA SANKARA RAO J,

