

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

WRIT PETITION No.19905 OF 2017

ORDER:

This Writ petition is filed under Article 227 of the Constitution of India for the following relief:

“..to issue a writ or direction more particularly in the nature of Writ of Mandamus declaring the action of the Respondents in trying to dispossess the petitioner from the land situated in R.S.No.293D6F to an extent of Ac.1.18 cents in Dasaripalem Village, Rompicherla Mandal, Guntur District without having any right and without following any due process of Law as illegal, arbitrary and violation of Articles 14 and 21 including 300 (A) of the Constitution of India and consequently direct the Respondents not to dispossess the petitioner from the land situated in R.S. No.293D6F to an extent of Ac.1.18 cents in Dasaripalem Village, Rompicherla Mandal, Guntur District without following due process of Law and pass such other order or orders may deem fit and proper in the circumstances of the case.”

2) Heard learned counsel for petitioner, learned Government Pleader for Land Acquisition (A.P) representing the respondents 1 to 4 and perused the prayer in the writ petition in supporting affidavit including the written instructions received by the learned Government Pleader.

3) The grievance of the petitioner is that though R.S. No.293/ G/ 1A/ 1 and other extents were acquired for extension of railway line, the respondents are trying to interfere with the possession of the petitioner, which is covered by R.S. No.293/ D/ 6F for Ac.1.18 cents at Dasaripalem Village.

4) As per the instructions of Tahsildar, Rompicherla Madal, Guntur District, the respondents are not interfering with the said extent and whatever the acquisition made already is for other extents and compensation also paid.

5) Having regard to the above, while recording the said fact, the Writ Petition is disposed of. Needless to say, if at all, the respondents require the land in R.S. No.293/D/6F to an extent of Ac.1.18 cents, they have to follow due process of law, if it is a private land and even otherwise any private person is entitled to any element of interest. No order as to costs.

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

Dt.22.06.2017
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Dr. B. SIVA SANKARA RAO, J



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Date:22.06.2017

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The so-called representation of the petitioner dated 08.06.2017 to the 2nd respondent and the 3rd respondent also while recording the offer to vakalat and counter/ written instructions of 1st respondent and 3rd respondent and any instructions to get by the Government Pleader for Panchayat Raj representing respondents 1 and 2 and post the matter to 14.07.2017.

In the meantime, there shall be interim direction to respondents not to interfere with the possession and enjoyment of the petitioner's house bearing No.4-3/1, Iragavaram Village & Mandal, West Godavari District except through due process of law.

