

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.41662 of 2017

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed by the petitioners, challenging the inaction of the respondents in trying to acquire the part of agricultural land, situated in Survey Nos.26/AA, UU/1, 25/UU1 and 20/AA of Gudem Village, Dandepalli Mandal, Adilabad District, of the petitioners, without following the due procedure contemplated under law, as illegal and arbitrary.

2. I have heard the submissions of Sri *S.Ravinder Reddy*, learned counsel for the petitioners, the learned Government Pleader for Roads and Buildings appearing for the respondents 1 & 4, and of the learned Government Pleader for Revenue appearing for the respondents 2, 3 & 5. I have perused the material record.

3. The case of the petitioners is that they are the absolute owners of agricultural lands, situated in Survey Nos.26/AA, UU/1, 25/UU1 and 20/AA of Gudem Village, Dandepalli Mandal, Adilabad District, and that while so, the subordinates of respondents 3 & 4 recently came to the lands of the petitioners and made markings upto depths of 10 to 15 feet stating that the said affected portions of lands of the petitioners are required for widening the road and that the said respondents, while doing so, did not follow the procedure established by law, and that in that view of the matter, the petitioners are constrained to approach this Court.

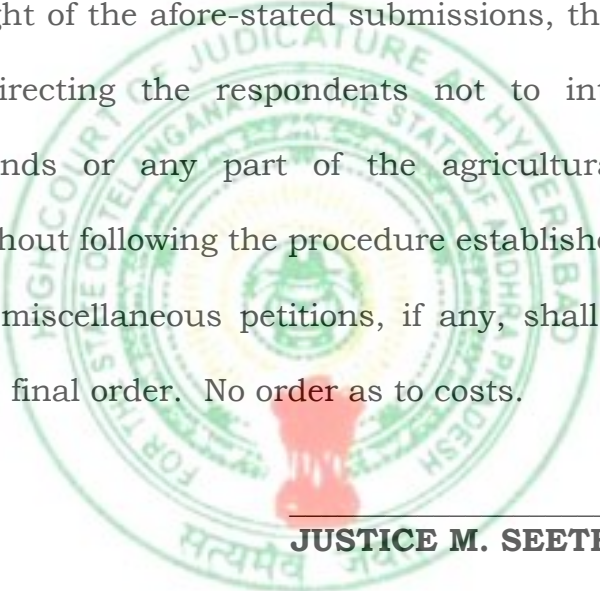
4. Learned counsel for the petitioners submits that if the respondents are directed to follow the procedure established by law

before interfering with any part of the agricultural lands of the petitioners, the ends of justice would be met.

5. Learned Government Pleader for Roads and Buildings appearing for the respondents 1 & 4 would submit that the writ petition is filed only on the apprehensions and that in the event any of the agricultural lands or parts of the agricultural lands of the petitioners are required for road widening, due process of law would be followed and appropriate steps would be taken, in accordance with procedure established by law.

6. In the light of the afore-stated submissions, the Writ Petition is disposed of directing the respondents not to interfere with the agricultural lands or any part of the agricultural lands of the petitioners, without following the procedure established by law.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.



JUSTICE M. SEETHARAMA MURTI

Date: 18th December, 2017

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