

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 22502 of 2007

O R D E R:

Challenging the action of the respondents in interfering with the possession of the petitioners over the land in Survey Nos.86/1, 573/A and 584 of Machavaram Village, Kodur Mandal, Krishna District, without following due process of law, the present writ petition is filed.

While admitting the writ petition on 06.11.2007, this Court passed an order of *status quo* with regard to the possession.

In the writ affidavit, the petitioners assert that they are in possession and enjoyment of the land in question and in support of the same, they filed copies of the sale deeds and link documents right from 1955.

Respondent Nos.1 to 3 filed a counter-affidavit stating that the land in Survey No.86/1 is classified as Gramakantam and the same is in possession of the Government.

Heard learned counsel for the petitioners and learned Government Pleader for Revenue for the respondents.

Except stating that the land in Survey No.86/1 is classified as Gramakantam, the respondents have not placed any material before this Court to controvert the title of the petitioners. The counter-affidavit is also silent with respect to the specific averments mentioned in the writ affidavit as to the method and

manner in which the petitioners came to be acquired title and possession of the property.

Merely because the land in Survey No.86/1 is classified as Gramakantam, it cannot be construed as it belongs to the Government.

In those circumstances, the writ petition is allowed directing the respondents not to interfere with the long possession of the petitioners over the subject land.

Miscellaneous petitions, if any, pending in this writ petition shall stand disposed of. There shall be no order as to costs.

Dt:04.04.2018

kdl

CHALLA KODANDA RAM, J

