

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.15158 OF 2018

DATED : 26.04.2018

Between :

Chindrada Rajeswar Rao Acharya S/o.Narsimulu Acharya,
Aged about 56 yrs, Occ : Service,
R/o.Main street, Ravivalasa Village,
Tekkali Mandal, Srikakulam District & others.

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Petitioners

And

State of Andhra Pradesh,
Revenue Department,
Secretariat, Velagapudi, Amaravathi,
Guntur District,
Rep., by its Principal Secretary & others.

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Respondents



This court made the following :

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ORDER :

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

2. Petitioners claim to be residents of Ravivalasa Village, Tekkali Mandal, Srikakulam District. 1st petitioner purchased land to an extent of Ac.0.33 cents in Sy.No.76/13, 2nd petitioner purchased land to an extent of Ac.0.29 cents, in Sy.No.76/10, third petitioner purchased land to an extent of Ac.0.38 cents in Sy.No.76/9. This writ petition is filed alleging that though the lands are private patta lands and petitioners are in possession and enjoyment, respondents are trying to dispossess them from the subject lands without following the due process of law.

2. As briefly noted above, claim of the petitioners is land in their occupation are private patta lands. If that is so, government cannot dispossess any person from the lands owned and possessed by them. So far no proceedings are taken to dispossess them. Only on apprehension of dispossession, this writ petition is filed. It cannot be expected that the authorities would dispossess a person from a private land without following the due process under the Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short 'the Act, 2013'). Therefore, it is premature for the petitioners to allege dispossession, when they claim that the lands are owned by them and are in possession.

3. Therefore, the writ petition is pre-mature and is liable to be dismissed.

4. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

26th April, 2018
Rds

P.NAVEEN RAO,J

