

HONOURABLE SRI JUSTICE T. AMARNATH GOUD

WRIT PETITION NO. 24826 OF 2013

ORDER :

This writ petition is filed by the petitioners invoking the inherent jurisdiction of this Court under Article 226 of the Constitution of India seeking mandamus to declare the action of the respondent-authorities in trying to dispossess the petitioners from their un-surveyed lands to an extent of Ac:2-00 each situated near Maddulagudem village, Pinapaka Mandal, Khammam district without any notice, without passing orders and without assigning any reason as illegal, void and opposed to Articles 14, 19, 21 and 300-A of the Constitution of India and consequently to direct the respondents not to interfere with the peaceful possession of the petitioners in the said land in question and to pass such other suitable orders as this Court may deem fit and proper in the circumstances of the case.

2. Heard the learned counsel for the petitioners and the learned Government Pleader for Social Welfare and learned Government Pleader for Forests.

3. After hearing both sides, it appears that thirty three petitioners have filed the present writ petition, which is devoid of merit, as the claim of the petitioners is that they are in possession of the land to an extent of Acs:2-00 situated near Maddulagudem village, Pinapaka Mandal, Khammam district and due to threat of dispossession, the present writ petition has been filed. As can be

seen from the record, there is no evidence to show that the petitioners are in possession from the time immemorial, though they filed representation before the concerned authorities, unless and until the petitioners proof of their possession over the property, they are not entitled to claim any relief under Article 226 of the Constitution of India. Moreover, the subject land is situated in the Reserve Forest, no relief can be granted to the petitioners without any proper proceedings issued by the Government.

4. Hence, this writ petition is dismissed as devoid of merits.

No costs.

5. As a sequel, miscellaneous petitions if any, pending in this writ petition shall stand closed.

JUSTICE T. AMARNATH GOUD.

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[RESULT : D I S M I S S E D]

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