

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

W.P.NO.19167 OF 2006

ORDER:

This writ petition is filed seeking to declare the action of the respondents in interfering with the peaceful possession and enjoyment of the petitioners of their respective plots in Sy.No.544 of Chemudugunta Village, Venkatachalam Mandal, Nellore District and seeking to evict the petitioners from their respective plots without following due process of law as arbitrary, illegal, without jurisdiction and violative of petitioners' fundamental rights guaranteed under Articles 14 and 300 A of Constitution of India and consequently direct the respondents not to allot the above land in favour of other persons.

2. It is the case of the petitioners that they are the owners in respect of plots in Sy.No.544 of Chemudugunta Village, Venkatachalam Mandal of Nellore District and against the action of the respondents for allotment of the said land to the ex-servicemen by disturbing the existing layout and evicting the petitioners and other plot owners and demarcating the plots in favour of the ex-servicemen, the present writ petition is filed.

3. It is seen from the material papers filed by the petitioners that they got right, title and interest over the said land by way of registered sale deeds from the years 1952, 1958 and so on.

4. The respondents filed their counter disputing the title stating that the lands belonging to the Government and the petitioners cannot have better title even if registered sale deeds are in their

favour, since their vendors have no title over the said land and that they cannot transfer better title to the petitioners.

5. Without going into the disputed facts, the writ petition is disposed of. Since the balance of convenience is in favour of the petitioners and they are in possession of the lands, the respondents are directed to follow due process of law in the event if they take any steps with regard to acquisition or any other recourse. No order as to costs. As sequel, the miscellaneous petitions pending if any shall stand closed.

Date: 09-02-2018
Shr



T.AMARNATH GOUD,J