

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION NO.24265 OF 2018

ORDER:

Heard Mr. Sai Vishnu for petitioners and the learned Assistant Government Pleader (Assignment) for respondents.

The petitioners claim that the petitioners are in possession and enjoyment of five acres of land each in Survey Nos.1007, 1009, 1010, 1006 and 1025 respectively situated in Korlakunta Vilage, Obulavaripalli Mandal, YSR District and in evidence of the petitioners' actual and physical enjoyment, the petitioners have placed before the Court a few annexures (photographs) showing the existence of mango garden and cultivation by petitioners. The petitioners refer to orders of assignment in their favour for claiming legitimacy for possession they are enjoying as on date. The cause of action for filing the Writ Petition is that fourth respondent or his subordinate officers are forcibly dispossessing the petitioners from the petition land. Hence, the Writ Petition.

The learned Assistant Government Pleader, on written instructions, submits that the petition land is classified as 'cheruvu poramboke' in revenue records and on preliminary enquiry, the fourth respondent could not find the record relating to the assignments relied on by the petitioners. The fourth respondent, it is stated, does not dispute the possession and enjoyment of petitioners. Hence, the Assistant Government Pleader states that the respondents, in the event of seeking possession of petition land from the petitioners, will follow the procedure stipulated by law.

Statement placed on record and accepted. The petitioners are given liberty, as and when action is initiated by fourth respondent, to rely upon all the documents and also raise all pleas available in law and fact. The authority who initiates action is expected to consider all the objections and pass orders.

The Writ Petition is disposed of accordingly. No order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

(S.V.BHATT, J)

16th July 2018
RRB

