

**HON'BLE THE CHIEF JUSTICE
SRI THOTTATHIL B. RADHAKRISHNAN**

AND

HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

WRIT APPEAL No.1346 OF 2016

JUDGMENT (ORAL) : (Per Hon'ble The Chief Justice Sri Thottathil B. Radhakrishnan)

This Writ Appeal is against an order dismissing the writ petition where the petitioner sought relief to the following effect:

“declaring the action of respondents in interfering with the possession and enjoyment of petitioner house property admeasuring 122 square yards in premises No.3-4-284/1, Kachiguda X Roads, Lingampally, Hyderabad without any manner of right and without following due process of law as illegal, arbitrary and violative of principles of natural justice and rights guaranteed under Article 300-A of Constitution of India, consequently direct the respondents not to interfere with the possession and enjoyment of petitioner over the subject land.”

2. Heard Sri Sreenivasarao Velivela, learned counsel for the appellant, learned Government Pleader for Revenue appearing for respondent Nos.1 and 2, and learned Government Pleader for Home appearing for respondent No.3.

3. It is the admitted fact-situation that the appellant has adverse orders in terms of the provisions of The Andhra Pradesh Land Grabbing (Prohibition) Act, 1982; for short 'Act'. In terms of the said Act and the Rules thereunder, the appellant is liable to be dispossessed as

enjoined therein. Obviously, therefore, he is not liable to any declaration as sought for. On the face of the concluded proceedings under that Act, no plea is essentially available under Article 300-A or under Article 14 of the Constitution of India. There is also nothing on record to show that any official respondent has acted in defeasance of the Laws.

4. The Writ Appeal, therefore, fails and is dismissed accordingly.

As a sequel thereto, Miscellaneous Applications, if any, pending in the Writ Appeal stand dismissed.



THOTTATHIL B. RADHAKRISHNAN, CJ

V. RAMASUBRAMANIAN, J

August 3, 2018.
PV