

THE HONOURABLE SRI JUSTICE P. KESHA VA RAO

WRIT PETITION No.3452 of 2020

ORDER:

Heard learned counsel for the petitioners as well as learned Standing Counsel appearing for the 2nd respondent Authority.

2. The prayer sought in the writ petition is as under:

“...to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents No.2 to 5 in trying to interfere with our possession in respect of our agricultural lands in Sy.Nos.453/AA, 453/E, 462/A totally admeasuring Ac.0-17 gts. 460, 461, 462/AA totally admeasuring Ac.0-11gts of the 1st Petitioner 451/A3, 452/A5, 451/A5, 452/A5, 451/A1, 452/A1, 452/A6 totally admeasuring Ac.0-23 gts. of the 2nd Petitioner 446/A, 453/A, 453/E/1 totally admeasuring Ac.0-21 gts. of the 3rd Petitioner 446/AA, 453/E/2, 453/E, 453/E/3, 453/E/6, 462/A, 462/U totally admeasuring Ac.0-36 gts of the 4th Petitioner 454/E, 455/E, 454/AA, 455/AA totally admeasuring Ac.1-11 gts. of the 5th Petitioner 454/A, 455/A totally admeasuring Ac.1-14 gts. of the 6th Petitioner situated of Chilukuru village and Grampanchanyath, Moinabad Mandal, RR District without any notice and without following due process of law as illegal, arbitrary and violative of principles of natural justice and consequently direct the respondents 2 to 5 not to interfere with the petitioners peaceful possession and enjoyment of the said property and to pass any such other order or orders as this Hon’ble Court may deems fit and proper in the circumstances of the case, in the interests of justice.”

3. The basic grievance of the petitioners is that the 2nd respondent Authority and its officials are interfering with the possession of the petitioners in respect of the lands mentioned in the prayer portion, without issuing any notice and without following due process of law.

4. Learned Standing Counsel appearing for the 2nd respondent Authority, on instructions, submits that the petitioners cannot be dispossessed without due process of law.

5. Having heard both the counsel and particularly taking submission of learned Standing Counsel into consideration, the writ

petition is disposed of directing the 2nd respondent not to dispossess the petitioners without due process of law. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

P. KESHA VA RAO, J

19th February 2020

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