

**THE HON'BLE MR JUSTICE V.V.S.RAO**

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**WRIT PETITION No.27982 of 2005**

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**Dated:30.12.2005**

Between:

Kondapalli Appa Rao, S/o.Subbaiah,  
Sy.No.774/1007, Ac.3.40, Eppicherla Village, Karempudi Mandal,  
Guntur District, and others.

**..... PETITIONERS**

AND

The Mandal Revenue Officer, Karempudi (PO), Guntur District.

**.....RESPONDENTS**

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**WRIT PETITION No.27982 of 2005**

**ORDER:**

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The petitioners, who are 28 in number, seek a writ of mandamus declaring the action of the respondents in trying to dispossess them as illegal and arbitrary. It is the case of the petitioners that they have been in possession of the Government poramboke land in Survey Nos.774, 1040, 1059, 1062, 1046, 1055 etc., situated at Oppicherla Village for more than 50 years in an extent of Ac.1.50 cents to Acs.4.00. They also

obtained necessary pattadar passbooks from the revenue authorities, dug bore wells and cultivating the lands. They allege that in the third week of December 2005, the surveyors of the first respondent came to the land and informed the petitioners that they would be evicted and the land would be assigned to third parties. The petitioners allege that the respondents are resorting to highhanded action to evict the petitioners as they belong to Telugu Desam Party and that the respondents are trying to assign the land to the supporters of Congress Party. It is also brought to the notice of this Court by the petitioners that when a similar action was challenged by 42 villagers of Oppicherla in W.P.No.15680 of 2005, this Court by order dated 20.07.2005 in W.P.M.P.No.19926 of 2005 stayed dispossession.

The learned Assistant Government Pleader for Revenue (General) after getting instructions from his clients submits that in connection with a writ petition, being W.P.No.15680 of 2005, filed by other agriculturists of Oppicherla Village the survey was undertaken and for that purpose, the said Village was visited. He submits that there is no move either to evict the petitioners or to assign the land in Survey Nos.774, 1040, 1059, 1062, 1046, 1055 etc., to other landless poor persons. The learned Counsel also does not dispute the legal position that if for any reason the petitioners are to be evicted, the respondents have to necessarily issue a notice and follow due process of law.

In view of the submission made by the learned Assistant Government Pleader, the writ petition is disposed of as above. No costs.

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(V.V.S.RAO, J)

30.12.2005

Note: Issue C.C by 03.01.2006.

B/o.

vs