

THE HON'BLE MS JUSTICE G. ROHINI

W.P.No.8314 of 2000

Dated: 28.09.2007

Between:

Gandham Bhadraiah and others.

..Petitioners.

and

The District Collector, Khammam District and others.

..Respondents.

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THE HON'BLE MS JUSTICE G. ROHINI

W.P.No.8314 of 2000

ORDER:

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This writ petition is filed seeking a declaration that the action of the respondents in attempting to dispossess the petitioners 1 to 4 from the land in R.S.Nos.1191/6 and 1191/7 of Nagupalli Mandal, Khammam District, as arbitrary and illegal.

This Court, while directing rule nisi, by order dated 09.05.2000, directed the respondents not to dispossess the petitioners from the land in question without following due process of law.

In the counter filed on behalf of respondents 1 & 2, the allegation that the respondents are interfering with the possession of the petitioners has been denied. It is stated that the petitioners, who are non-tribals, have encroached upon the Government land in R.S.Nos.1191/6 and 1191/7, which is an agency area. Though there is a proposal to take appropriate action under the provisions of the Andhra Pradesh Land Encroachment Act, 1905 for recovery of possession from the petitioners, no action has been taken to dispossess them as alleged in the writ petition.

Having regard to the stand taken by the respondents in the counter-affidavit, the writ petition is disposed of leaving it open to the respondents to take appropriate action following due process

of law and making it clear that the respondents shall not interfere with the possession of the petitioners in respect of the land in question in any manner whatsoever, without following due process of law. No costs.

G. ROHINI, J

Dated: 28.09.2007

sj