

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

WEDNESDAY, THE THIRTIETH DAY OF APRIL
TWO THOUSAND AND EIGHT

PRESENT
THE HON'BLE MR JUSTICE N.V. RAMANA
WRIT PETITION NO : 9789 of 2008

Between:

- 1 V.Adinarayana, S/o.Naganna,
R/o. Regatipalli Village, Dharmavaram Mandal,
Ananthapur District.
- 2 M.Mallesu, S/o. bodappa,
R/o. Regatipalli Village, Dharmavaram Mandal,
Ananthapur District.
- 3 M.Chennakesavulu, S/o. Chandrayudu,
R/o. Regatipalli Village, Dharmavaram Mandal,
Ananthapur District.
- 4 M.Narayanamma, W/o. M.Varadi,
R/o. Regatipalli Village, Dharmavaram Mandal,
Ananthapur District.
- 5 P.Salamma, W/o. Ganganna,
R/o. Regatipalli Village, Dharmavaram Mandal,
Ananthapur District.
- 6 P.Laxmi Devi, W/o. Kondanna,
R/o. Regatipalli Village, Dharmavaram Mandal,
Ananthapur District.
- 7 P.Ramadevi, W/o. Mallesu,
R/o. Regatipalli Village, Dharmavaram Mandal,
Ananthapur District.
- 8 M.Pothulaiah, S/o. Kondanna,
R/o. Regatipalli Village, Dharmavaram Mandal,
Ananthapur District.
- 9 P.Mallanna, S/o. Chandrappa,
R/o. Regatipalli Village, Dharmavaram Mandal,
Ananthapur District.
- 10 P.Nagalakshmi, W/o. Shivaiah, 24
R/o. Regatipalli Village, Dharmavaram Mandal,
Ananthapur District.
- 11 C.Laxmi Reddy, S/o. Venkat Reddy,
R/o. Regatipalli Village, Dharmavaram Mandal,
Ananthapur District.
- 12 P.Laxmanna, S/o. Subbanna,
R/o. Regatipalli Village, Dharmavaram Mandal,

Ananthapur District.

- 13 M.Anjaneyulu, S/o. Pedda Kondanna,
R/o. Regatipalli Village, Dharmavaram Mandal,
Ananthapur District.
- 14 T.Sainadha Reddy, S/o. Raghunadha Reddy,
R/o. Regatipalli Village, Dharmavaram Mandal,
Ananthapur District.
- 15 M.Vardha Raju, S/o. Chinna Varadhappa,
R/o. Regatipalli Village, Dharmavaram Mandal,
Ananthapur District.
- 16 C.Suryanarayana Reddy, S/o. Laxmi Reddy,
R/o. Regatipalli Village, Dharmavaram Mandal,
Ananthapur District.
- 17 S.Nagaraju, S/o. Varadhappa,
R/o. Regatipalli Village, Dharmavaram Mandal,
Ananthapur District.
- 18 B.Adinarayana, S/o. Naganna,
R/o. Regatipalli Village, Dharmavaram Mandal,
Ananthapur District.
- 19 S.Varadhappa, S/o. Varadhappa
R/o. Regatipalli Village, Dharmavaram Mandal,
Ananthapur District.
- 20 K.Narayana, S/o. Pedda Ramudu,
R/o. Regatipalli Village, Dharmavaram Mandal,
Ananthapur District.
- 21 K.Chinna Ramudu, S/o. Pedda Ramudu,
R/o. Regatipalli Village, Dharmavaram Mandal,
Ananthapur District.
- 22 N.Konda Reddy, S/o. Konda Reddy,
R/o. Regatipalli Village, Dharmavaram Mandal,
Ananthapur District.
- 23 M.Narayana Swamy, S/o. Narayana,
R/o. Regatipalli Village, Dharmavaram Mandal,
Ananthapur District.
- 24 M.Kondapa, S/o. G.Vardhappa,
R/o. Regatipalli Village, Dharmavaram Mandal,
Ananthapur District.
- 25 T.Udaya Kumari, W/o. Ramana Reddy,
R/o. Regatipalli Village, Dharmavaram Mandal,
Ananthapur District.
- 26 B.Konda Reddy, S/o. Konda Reddy,
R/o. Regatipalli Village, Dharmavaram Mandal,
Ananthapur District.
- 27 M.RAmalaxmamma, W/o. Sriramulu,
R/o. Regatipalli Village, Dharmavaram Mandal,
Ananthapur District.
- 28 H.Muthyalappa, S/o. pakkirappa,
R/o. Regatipalli Village, Dharmavaram Mandal,

Ananthapur District.
29 K.Pothulaiah, S/o. Anjinappa,
R/o. Regatipalli Village, Dharmavaram Mandal,
Ananthapur District.

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PETITIONER(S)

AND

- 1 The Revenue divisional Officer, Dharmavaram, Anantapur Dist.
- 2 The Thasildar, Dharmavaram, Anantapur Dist.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction more particularly one in the nature of a writ of Mandamus declaring the action of the respondents in not following the procedure established under the law and without their being any specific authority of law contemplating to dispossess the petitioners from their respective lands as mentioned in the petition annexure - I and consequently not to alienate the lands relating to Ragatipalli Land colonization Cooperative Society, Dharmavaram, Anantapur District to third parties and pass

Counsel for the Petitioners: MR.I.NAVEEN KUMAR

Counsel for the Respondents: GP FOR REVENUE

The Court made the following :

ORDER:

It is the case of the petitioners that they are landless poor persons and are eking out their livelihood by doing agricultural works and due to their long standing possession and eligibility pre-requisites, the respondent revenue authorities inducted them in possession of the subject matter of the lands long back and also issued faslies in their favour. Their grievance is that without following the procedure prescribed under law and without any reasons the respondents are now trying to dispossess them from the subject matter of the lands mentioned in Annexure-1 to the writ petition. Therefore they filed the present writ petition seeking directions to the respondents not to dispossess them from the said lands and also not to alienate the lands relating to Ragatipalli Land Colonization Cooperative Society, Dharmavaram, Ananthapur District to third parties.

Today, when the matter came up for admission, the learned Government Pleader has produced before this Court the instructions given by the Tahsildar, Dharmavaram to the effect that the land in S.No.452-2 of Regatipalli Village admeasuring an extent of Ac.6.05 is

classified A.W.land, vested with the government and on verification of village account (Adangal), it was found that no assignment has been made in favour of any body including petitioners. On inspection of the land, it is noticed that some encroachers cultivated the land and no action is contemplated for thier eviction.

The learned Government Pleader submits that at present no action has been initiated to evict the petitioners from the lands in question and that if at all they want to evict the petitioners they will follow due process of law.

In the circumstances, recording the above statement made by the learned Government Pleader, the writ petition is disposed of directing the respondents that in case they want to evict the petitioners they must issue notice and follow due process of law.

N.V.RAMANA,J

Dt.30.4.2008
msv

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

- 1 The Revenue divisional Officer, Dharmavaram, Anantapur Dist.
- 2 The Thasildar, Dharmavaram, Anantapur Dist.
- 3 **2CCs to** The GP for Revenue, High Court of A.P Hyd. (OUT)
- 4 2CD copies