

WRIT PETITION Nos.1489, 1491 to 1499 and 1660 of 2008

.. RESPONDENTS

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COMMON ORDER:

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Since similar questions that arise for consideration in these writ petitions, the same are taken up together for disposal by way of common order.

It is the case of the petitioners that they are the owners and possessors of various extents of lands in various survey numbers of Rajavolu Village, Rajahmundry Rural, East Godavari District, having inherited by their predecessors in title. It is stated that the said lands are not Government lands or assigned lands but they are Rythu lands. It is stated that the said lands are sought to be taken away by the respondents for the purpose of allotting house sites to the landless poor.

Learned Government Pleader for Land Acquisition appearing for the 2nd respondent submits that there is no attempt on the part of the respondents to dispossess the petitioners from the lands in question without following due process of law. Further, so far, no proceedings have been initiated and the allegation made by the petitioners that the respondents are trying to dispossess the petitioners from the lands in question is denied.

I am not inclined to express any opinion on the merits of the case. Even, if the said lands are assigned lands, it is always open for the respondents to take appropriate action against the petitioners in accordance with the provisions of A.P. Assigned Lands (Prohibition of Transfers) Act, 1977. Even, if the said lands are Government lands, it is always open for the respondents to take appropriate action under the A.P. Land Encroachment Act, 1905. Even, if the said lands are private lands, it is always open for the respondents to take appropriate action under the A.P. Land Acquisition Act, 1894, for acquiring the lands for the purpose of distributing to the landless poor. But, without following due process of law, the petitioners cannot be dispossessed from the lands in question.

Having regard to the facts and circumstances of the case, the writ petitions are disposed of directing the respondents not to dispossess the petitioners from the lands in question, if they are in possession, without following due process of law. There shall be no order as to costs.

31-01-2008

Prv