

**THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY**

**WRIT PETITION NO.1526 OF 2020**

**ORDER:**

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:

“to issue Writ of Mandamus declaring the action of the respondents in seeking dispossess the petitioners from the land Ac.0-05 cents each situated in Sy.No.180 and 181 of Polepalli Cherlopalli Village, Ramagiri Mandal, Anantapur District, without issuing any notice and without following due process of law as illegal arbitrary and unjust and in violation of the Articles 14, 21 and 300-A of the Constitution of India principles of natural justice and consequently direct the 4<sup>th</sup> respondent not to dispossess the petitioners from the above said land.”

During hearing, learned counsel for the petitioners, without touching the merits of the case, requested this Court to issue a direction to the respondents not to dispossess the petitioners from their lands without following due process of law.

Learned Assistant Government Pleader for Revenue, admitted that the petitioners are continuing in possession of their lands and the same was assigned to these petitioners by the competent authority and requested to pass appropriate orders.

Undisputedly, the lands were assigned to these petitioners by the competent authority. Admittedly, the lands belong to the Government, but the petitioners are in possession and enjoyment of the property. In such case, when the petitioners are in possession and enjoyment of the property, they cannot be dispossessed, without following due process of law. Therefore, the respondents are directed, not to dispossess the petitioners from their property, except by due process of law.

With the above direction, the writ petition is disposed of at the stage of admission with the consent of both the counsel. No costs.

The miscellaneous petitions pending, if any, shall also stand closed.

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**JUSTICE M. SATYANARAYANA MURTHY**

27.01.2020  
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