

THE HON'BLE SRI JUSTICE K SREENIVASA REDDY

Writ Petition No.20305 of 2023

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India seeking the following prayer:

"....declaring the action of the Respondents Police in interfering with my peaceful possession and enjoyment of the land in Sy.No.420 to an extent of Ac.6-50 cents, in Sy.No.420 dry total extent of Ac.35.10 paiki Sy.No.420-1 wherein Ac.0.47 cents or 0.190 hectors and Sy.No.420 dry total extent of Ac.35.10 paiki Sy.No.420-1 wherein Ac.0.47 cents or 0.190 hectors of Ponnutipalem Revenue Village, Madanapalle Mandal, Annamayya District as illegal, arbitrary, unconstitutional and contrary to the Article 14, 19, 21 and 300-A of Constitution of India and consequently direct the respondents Police not to interfere with peaceful possession and enjoyment of the land in Sy.No.420 to an extent of Ac.6-50 cents, in Sy.No.420 dry total extent of Ac.35.10 paiki Sy.No.420-1 wherein Ac.0.47 cents or 0.190 hectors and Sy.No.420 dry total extent of Ac.35.10 paiki Sy.No.420-1 wherein Ac.0.47 cents or 0.190 hectors of Ponnutipalem Revenue Village, Madanapalle Mandal, Annamayya District the civil disputes pending in OS No.564 of 2020 on the file of Hon'ble I Addl. Junior Civil Judge, Madanapalle and to pass...."

2. Case of the petitioners is that originally land to an extent of Ac.35.10 cents and land to an extent of Ac.17.45 cents in Sy.Nos.420 & 421 situated in Ponnutipalem Revenue Village, Madanapalle Mandal, Chittoor District belonged to one Sunkara Mallaiah and Sunkara Lakshmaiah as per the Survey and

Resettlement Register pertaining to 1915 to 1956. Thereafter, the land in Sy.No.420 to an extent of Ac.6-50 cents, in Sy.No.420 dry total extent of Ac.35.10 paiki Sy.No.420-1 wherein Ac.0.47 cents or 0.190 hectars and Sy.No.420 dry total extent of Ac.35.10 paiki Sy.No.420-1 wherein Ac.0.47 cents or 0.190 hectars are devolved on the petitioners. Subsequently, due to continuous interference of the respondent No.8, the petitioners issued legal notice to the respondent Nos.2 to 7 and also respondent No.8 on 19.07.2023 stating that the respondent No.8, at the instance of respondent Nos.3 to 7, is preventing the petitioners and others from entering the subject land. The police authorities shall not entertain the baseless complaint purported to have been brought by the respondent No.8 in respect of the subject property. During pendency of suits before the Court below, the respondent-police are intentionally interfering with the civil disputes between the petitioners herein and the respondent No.8. Assailing the said action of the respondents, the present Writ Petition is filed.

3. Learned counsel for the petitioners submits that they are the absolute owners and possessors of aforesaid subject land. Earlier, the revenue authorities and their men repeatedly visited

the petitioners' land and threatened the petitioners to vacate the land for laying C.C. roads. In connection with that, Writ Petition No.2395 of 2021 had been filed by the petitioners herein. By order dated 11.04.2023, this Court disposed of the said writ petition by directing the respondent authorities therein not to interfere with the petitioners' property i.e., land to an extent of Ac.6.50 cents in Sy.No.420 situated in Ponnutipalem Revenue Village and Gram panchayat, Madanapalle Mandal, Chittoor District, except by following due process of law. Thereafter, the respondents-police are interfering with the civil disputes between the petitioners herein and the respondent No.8.

4. Learned Assistant Government Pleader for Home, on instructions, submits that on a complaint given by the respondent No.8 herein, the police personnel had gone to the land of the petitioners and verified it, and except that, the police are not interfering with the petitioners' peaceful possession and enjoyment over the aforesaid subject property.

5. Recording the said submission, the Writ Petition is closed. No order as to costs.

As a sequel, miscellaneous petitions, if any, pending in this
Writ Petition shall also stand closed.

JUSTICE K. SREENIVASA REDDY

28.08.2023
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THE HON'BLE SRI JUSTICE K.SREENIVASA REDDY

Writ Petition No.20305 of 2023

Date: 28.08.2023

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