

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 9064 of 2012

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ORDER:

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Heard learned counsel for the petitioners and learned Government Pleader for Revenue appearing for respondent Nos.3 & 4.

The present writ petition came to be filed seeking issuance of a writ of mandamus declaring the action of respondent Nos.3 and 4 in trying to take possession of fish tanks in R.S.Nos.761/1B, 761/2, 761/1E and 760/E situated at Pedatumidi Village, Bantumilli Mandal, Krishna District, and consequently, direct them not to interfere with the possession and enjoyment of the petitioners over the fish tanks.

The grievance of the petitioners is that though the Hon'ble Debt Recovery Tribunal at Visakhapatnam by an order dated 11.01.2012 in A.O.R.No.1 of 2012 directed to maintain status-quo with regard to recovery proceedings pending before the Recovery Officer, respondent Nos.5 to 7 in collusion with respondent Nos.3 and 4 are trying to knock down the fish tanks at a very cheaper rate than the market value.

At the time when the matter is taken up for admission, the learned Government Pleader for revenue submits that respondent Nos.3 and 4 are not taking any action against the petitioners. Having regard to the orders passed by the Debts Recovery Tribunal, he submits that respondent Nos.3 and 4 will follow the due process of law, if any action is to be taken against the petitioner.

Recording the submission made by the learned Government Pleader for Revenue, the Writ Petition is disposed of, directing respondent Nos.3 and 4 not to

take any action against the petitioner in respect of the fish tanks in R.S.Nos.761/1B, 761/2, 761/1E and 760/E situated at Pedatumidi Village, Bantumilli Mandal, Krishna District, without following the due process of law. There shall be no order as to costs.

Consequently, miscellaneous petitions if any pending in the writ petition shall stand dismissed.

JUSTICE C. PRAVEEN KUMAR

5th October, 2015

cbs

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