

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 10624 of 2012

ORDER:

-

Heard Sri B.Vijay Sen Reddy, learned counsel for the petitioner and learned Government Pleader for Revenue. With the consent of both the parties, the main writ petition being heard at the admission stage itself.

The present writ petition came to be filed seeking issuance of writ of mandamus, declaring the action of respondents in trying to dispossess the petitioner from his site with structure in Ac.0.10 gts., situated in Sy.No.26 of Thokatta Village, Bowenpally, Thirumalagiri Mandal, Hyderabad District, without following due process of law, as illegal, arbitrary as the petitioner is entitled for regularization of his long standing possession and enjoyment pursuant to G.O.Ms.No.166, Revenue (Assn.POT) Department, dated 16.02.2008; and consequently direct the respondents not to disturb the possession and enjoyment of the petitioner over the said property.

The main grievance of the petitioner is that though he made an application on 05.09.2008 seeking regularization of his possession and enjoyment till date no action is taken by the respondent.

A counter came to be filed stating that no such application is pending before the authorities and hence, the question of considering the representation seeking regularization would not arise.

Though in the counter it is stated that no such application pending, but the learned counsel for the petitioner reiterates that such an application was made and the same is pending. He submits that there is no material to show the same.

Without going into the merits of the case and having regard to the circumstances stated above, the writ petition is disposed of, directing the respondents to pass orders, in accordance with law, as to the existence of any representation made by the petitioner claiming benefit under G.O.Ms.No.166,

Revenue (Assn.POT) Department dated 16.02.2008.

No order as to costs. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE C. PRAVEEN KUMAR

02.09.2015

gkv