

THE HON'BLE SRI JUSTICE RAJA ELANGO

Writ Petition No.19298 of 2007

ORDER :

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This Writ Petition is filed seeking to issue a writ of *Mandamus* to declare the inaction of the respondent Nos.1 to 5 in removing the encroachments and taking the possession of the land in Sy.No.697 total admeasuring Acs.8.09 guntas situated at Shamshabad Village and Mandal, Ranga Reddy District, in view of the orders of resumption passed under Section 77 of the A.P. Charitable & Hindu Religious Institutions & Endowment Act, 1987 for resumption of the Inam land in case No.L/1980/2007 passed by the Revenue Divisional Officer, West, Ranga Reddy District, as illegal and arbitrary.

2. The respondent Nos.1 to 3 filed the counter-affidavit. In para No.5 of the counter-affidavit it is stated as follows :

“It is submitted that a fit person appointed by the Endowments Department has taken necessary steps to evict encroachments and filed (33) O.A. cases before the Hon'ble Andhra Pradesh Endowments Tribunal, Hyderabad under Section 83 of the Act 30/1987 and the Hon'ble Andhra Pradesh Endowments Tribunal, Hyderabad has passed I.A. orders in (12) O.A. cases with a direction to collect Use and Occupation charges from the encroachers as detailed below :

Sl. No.	Name of the Encroacher	Extent	O.A.No. & I.A. No.	Use and occupation charges
1.	P.Babu Yadav	02.75 cents	351/2012 & 659/2012	Rs.10,000.00
2.	R.Geetha	02.75 cents	352/2012 & 660/2012	Rs.10,000.00
3.	K.Vajram	57 Sq.Yds.	353/2012 & 661/2012	Rs. 3,500.00
4.	B.Uma Maheshwar	163 S.Yds.	354/2012 & 662/2012	Rs. 7,000.00
5.	T.Suchetan	02.75 cents	355/2012 & 663/2012	Rs.10,000.00
6.	G.P.Bhavani	05.00 Cents	356/2012 & 664/2012	Rs.20,000.00
7.	T.Santosh	02.75 cents	357/2012 & 665/2012	Rs.10,000.00
8.	N.Samatha	03.45 cents	358/2012 & 666/2012	Rs.10,000.00
9.	R.Pentaiaha	02.75 cents	359/2012 & 667/2012	Rs.10,000.00
10.	Chandra Kala Reddy	03.45 cents	360/2012 & 668/2012	Rs.10,000.00
11.	M.Venkatesh K.Krupal M.V.S.Prakash	20.00 cents	361/2012 & 669/2012	Rs.35,000.00
12.	K.Rukma Reddy	03.45 cents	362/2012 & 670/2012	Rs.10,000.00

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3. On a perusal of the counter it is evident that the official respondents herein are proceeding with the action as per the orders already passed by the Commissioner.

4. The main grievance of the petitioner herein is that the authorities neither acted swiftly nor executed the orders promptly within the time limit.

5. Considering the facts and circumstances of the case, the Writ Petition is disposed of directing the Respondents

Nos.1 to 5 herein to proceed further and take action on the basis of the order already passed by the Commissioner, as expeditiously as possible, more preferably within a period of six months from the date of receipt of a copy of the order. There shall be no order as to costs. As a sequel, miscellaneous petitions pending, if any, in this Writ Petition are closed.

JUSTICE RAJA ELANGO

19th February, 2015

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