

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH

WRIT PETITION No. 26812 OF 2011

Between:

Namballa Ayyappa and others

.. Petitioners

and

The State of Andhra Pradesh, rep. by M.R.O.,
Madhavadhara, Visakhapatnam and others

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 11.08.2015

SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

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| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgments? | Yes/No |
| 2. Whether the copies of judgment may be
marked to Law Reporters/Journals? | Yes/No |
| 3. Whether Their Ladyship/Lordship wish to
see the fair copy of the Judgment? | Yes/No |

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 26812 of 2011

ORDER:

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Heard learned counsel for the petitioners, learned Government Pleader for Revenue appearing for the 1st respondent and learned counsel for the respondents 2 and 3. With the consent of the parties, the writ petition is disposed of at the admission stage itself.

The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of the respondent 1 and 2 in interfering with the petitioners' possession and enjoyment of land in Survey Nos.9/6 and 9/2, which is part of old O.S.No.3 and also S.No.9/1 before subdivision, situated at Kapparada Village, Visakhapatnam, as illegal and arbitrary.

Though various grounds are raised in the writ petition, the learned counsel for the petitioners restricts his prayer seeking a direction to the Joint Collector/Settlement Officer, Visakhapatnam, to pass orders in the proceedings No.2462/2008/E2, dated 30.07.2008, pending consideration before him, at the earliest. Learned Government Pleader for Revenue and learned counsel for the respondents 2 and 3 submit that no interim order need be passed in the present writ petition, as the Director of Settlements, Andhra Pradesh, Hyderabad, while remanding the case to the Joint Collector/Settlement Officer, Visakhapatnam, ordered status-

quo and further directed him to conduct a *de nova* enquiry into the case.

Having regard to the circumstances stated above and without going into the merits of the case, the Joint Collector/Settlement Officer, Visakhapatnam, is directed to dispose of the proceedings No.2462/2008/E2, dated 30.07.2008, pending consideration before him, in accordance with law, within a period of six (6) weeks from the date of receipt of a copy of the order, after giving an opportunity to all the parties including the impleaded parties.

With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

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

JUSTICE C. PRAVEEN KUMAR

11th August, 2015
cbs

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

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