

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.8221 OF 2015

ORDER:

This petition is filed seeking a writ of *Mandamus* declaring the action of the 3rd respondent in constructing wall in the plots of the petitioners bearing Sy.No.s208/F2 situated in plot No.14 admeasuring Ac.0.051/2 cents and plot No.15 admeasuring Ac.0.051/2 cents totally admeasuring Ac.0.11 cents in Adavivaram Village, Visakhapatnam Rural Mandal and Distirct, as illegal and arbitrary and consequently sought for a direction to the respondents not to proceed with the construction of the wall in the petitioners' land.

The case of the petitioners is that they are the absolute owners and possessors of the land situated at Adavivaram Village, Visakhapatnam Mandal and District having purchased the same through registered sale deed bearing document Nos.4046 of 1983 and 4044 of 1983. While so, the 3rd respondent is constructing a compound wall intruding the petitioners' land. It is also stated that as the petitioners and their predecessors-in-title were in continuous possession and enjoyment of the property, the question of claiming the right over the said property by the 3rd respondent does not arise. The petitioners further stated that though they have made a representation on 09.03.2015 to the 3rd respondent raising their objections for construction of the wall, the 3rd respondent having received the same, is proceeding with the construction of wall without responding to the objections raised by the petitioners. Aggrieved by the same, the present writ petition is filed.

Heard the learned counsel for the petitioners and Sri V.Venugopal Rao, learned Standing Counsel for the 3rd respondent.

Since the objections raised by the petitioners claiming the property in question have not been considered by the 3rd respondent, I deem it appropriate to direct the 3rd respondent to consider the objections raised by the petitioners and take a decision thereon as expeditiously as possible in accordance with

law. Till such time, *status-quo* obtaining as on today shall be maintained.

With the above direction, the writ petition is disposed of. No order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

26.03.2015

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HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.3747 OF 2015

Date: 23.02.2015

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