

OHON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.41139 OF 2016

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioners seeking the following relief:

“ ... to issue a writ order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the respondents 3 and 4 in issuing Notice Rc.291/B2015 dated 26-10-2016 and trying to dispossess the Petitioners from their lands in Sy.No.234-2 Ac.1-67 cents of the 1st petitioner, Sy.No.234-2, an extent of Ac.1-66 cents of the 2nd petitioner and Sy.No.234-2 to an extent of Ac.1-67 cents of the 3rd petitioner situated at Utukuru Village, Parigi Mandal, Anantapuramu District respectively is illegal arbitrary, violation of Article, 14, 19, 21 and 300A of the Constitution of India, violation of Principles of Natural Justice and without jurisdiction and set aside the same and consequently direct the respondents not to interfere/dispossess the petitioners from their respective above lands and pass such other order or orders as this Hon'ble court may deem fit and proper in the circumstances of the case.”

Heard the learned counsel for the petitioners and the learned Assistant Government Pleader for Revenue for respondents. With their consent, the Writ Petition is disposed of at the stage of admission itself.

It is the case of the petitioners that on 26.10.2016 the 4th respondent issued Form-II notice to the petitioners to show cause as to why the petitioners shall not be evicted from the subject lands, to which, the petitioners have submitted an explanation on 12.11.2016. It is the grievance of the petitioners

that without considering their explanation, the respondents are trying to evict them from the subject lands.

Having regard to the facts in issue, the writ petition is disposed of directing the 4th respondent-Tahasildar to consider the explanation submitted by the petitioners on 12.11.2016 and pass necessary orders thereon. Till such time, *status quo* as on today shall be maintained with regard to possession of the subject lands.

Miscellaneous petitions pending in this writ petition, if any, shall stand closed. No order as to costs.

Date: 28.11.2016

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C. PRAVEEN KUMAR, J

