

HON'BLE SRI JUSTICE S.V.BHATT
WRIT PETITION No.22926 OF 2011

ORDER:

Heard learned counsel for the petitioners and Mr.S.Srinivasa Rao, Assistant Government Pleader for Revenue and Mr.Ch.Srinivasa Murthy.

The petitioners pray for the following relief:

“... issue a Writ, Order or direction, more particularly, one in the nature of Writ of Mandamus declaring the action of the respondents herein in highhandedly contemplating to dispossess the petitioners herein in respect of their fish tank covered by an extent of Ac.17.23 cents situated in Sy.No.183, 184,185 and 186 of Unikili Village, Mandavalli Mandal, krishna District as illegal, arbitrary, contrary to the principles of natural justice, violative of Articles 14 and 300-A of the Constitution of India and consequently direct the respondents not to demolish the said fish tank of petitioners ...”

On 12.08.2011, this Court passed the following interim order.

“Pending further orders, the respondents shall not interfere with the running of fish tank by the petitioners in Sy.Nos.183,184,185 and 186 of Unikili Village, Mandavalli Mandal, Krishna District.”

Respondent No.6 has filed petition to vacate the said interim order.

I have perused the entire material available on record and taken note of the submissions of learned counsel appearing for the parties. *Prima facie*, I am of the view that the petitioners in assertion of their alleged right and due to a few reasons stated in the affidavit, approached this Court for the relief referred to above.

I am of the view that respondents 3 to 5 had to look into the matter, if necessary issue notice to petitioners as well as the 6th respondent in the pending or proposed enquiry into the subject matter of the writ petition, hear the parties and dispose of the grievance within

a period of three months from the date of receipt of a copy of this order. The interim order granted on 12.08.2011 is directed to be maintained till a decision is taken and communicated to the parties. It is needless to observe that the respondents take action and conclude the same in accordance with law and will not give any scope for apprehension or pray for anticipatory relief.

The writ petition is disposed of. No order as to costs.

S.V.BHATT,J

Date:31.03.2016

Stp