

HON'BLE SRI JUSTICE S.V. BHATT

WRIT PETITION No. 1804 OF 2012

ORDER:

Heard Sri Nambi Krishna for petitioners and the Assistant Government Pleader for Revenue.

The petitioners pray for mandamus declaring the action of respondents in interfering with their possession in an extent of 3,444 square yards at Bashirabad (Navandigi) Village, Bashirabad Gram Panchayat and Mandal, Ranga Reddy District on 12.01.2012 and 18.01.2012, as illegal, arbitrary and unconstitutional.

Respondent No.1 filed counter affidavit denying the material allegations of petitioners on title and possession. To the extent of protecting the property, it is stated that the officers, in fact, have gone to the subject site to prevent petitioners and their men from raising permanent structures on the subject matter of the writ petition. In paragraph 6 of the counter affidavit on the complaint of petitioners the respondents are acting without recourse the following reply is given:

“Hence, the question of collusion with respondent Nos.4 and 5 does not arise. The location sketch prepared by the Mandal Surveyor is submitted herewith for kind perusal by showing the encroached extent by the petitioners. Further, appropriate action will be initiated under LR Act after disposal and vacation of status quo orders of this Hon'ble Court dated 27.01.2012 passed in W.P.No.1804 of 2012.”

The statement of 1st respondent is placed on record. I am satisfied that the writ petition can be disposed of by this order:

The 1st respondent is given liberty to initiate appropriate action for removal of encroachment of subject matter of the writ petition, as and when steps are initiated, notices are issued to petitioners and orders passed in accordance with law. The petitioners are given liberty to file explanation and it is needless to observe that the 1st respondent

considers the objections and passes reasoned order. Subject to the outcome of the said decision, the petitioners can avail the legal remedies against such communication. No order as to costs.

Miscellaneous petitions, if any, shall also stand disposed of.

S.V. BHATT, J

Date: 11.08.2016

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