

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.30374 of 2016

ORDER:

Heard Mrs. T.V. Sridevi for petitioner and the Assistant Government Pleader (Revenue).

2. Petitioner prays for Mandamus declaring the threatened action of respondents in dispossessing the petitioner from Plot Nos.1 and 1A, admeasuring 136 sq. yards out of total 325 sq yards in plot Nos.1 and 1A in Sy.No.538 situated at Yashodamma Nagar Colony, as illegal, arbitrary and unconstitutional.

3. On 27.05.2016, representation was made to fifth respondent for identification and fixation of boundaries of the plot said to have been purchased by the petitioner in Sy.No.538. The plot, according to petitioner, is not covered by Government land and on assumptions to dispossess the petitioner or demolish the structure, if any, at subject plot, is completely arbitrary and unconstitutional. The petitioner relies upon the order in WPMP.No.23740 of 2016 in WP.No.19347 of 2016 dated 20.06.2016 and prays for protecting possession of petitioner as was granted in that writ petition.

4. After perusing the annexures filed along with the writ petition, particularly, the representation dated 27.05.2016, this Court is of the view that at any given point of time, the identity of subject plot whether forming part of Sy.No.537 or 538 is to be decided by fifth respondent and the Survey Department. If the petitioner is aggrieved,

thereafter, can certainly work out civil remedies, therefore, instead of keeping the writ petition pending, the petition is disposed of by this order.

- a) The parties are directed to maintain status quo in all aspects, as on today, for a period of three (3) months.
- b) The representation filed as Ex.P2 shall be treated as representation and request made by petitioner.
- c) The petitioner is given liberty to resubmit the representation along with a copy of the order to fifth respondent for expeditious and timely action.
- d) The fifth respondent, it is needless to state, follows procedure, verifies the field maps and determines the location of subject plot. The decision of survey shall be communicated within the time stipulated as above.

As a sequel, the miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

September 12, 2016
DSK

S. V. BHATT, J

