

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.23677 OF 2014

ORDER:

This petition is filed for a writ of *Mandamus*, declaring the action of the respondent Nos.3 and 4 herein in threatening to dispossess the petitioner from his lawful possession in respect of the land admeasuring Ac.1.06 cents in Sy.No.937/1 and Ac.1.07 cents in Sy.No.938/1, total admeasuring Ac.2.13 cents, situated at Molagavalli Village, Alur Mandal, Kurnool District, pursuant to the Notice dated 23.10.2013 issued by the 4th respondent, basing on the letter of the 3rd respondent, as illegal and arbitrary and for a consequential direction to the respondents to set aside the notice dated 23.10.2013 by declaring that the petitioner is entitled to continue in possession of the said land in his occupation.

The petitioner is challenging the notice dated 23.10.2013 issued by the 4th respondent and he states that he submitted explanation to the same. The matter pertains to allotment of surplus land surrendered by the mother of the 5th respondent and now disputes arose between the petitioner and 5th respondent, as such, the 4th respondent issued notice to the petitioner.

Though counter is filed and argued at length, all these factual aspects raised by both the parties cannot be decided in this writ petition. Hence, it is appropriate that the 4th respondent who has issued notice shall decide the same, as petitioner has already submitted explanation.

In view of the same, the 4th respondent is directed to

consider the explanation of the petitioner and pass orders, after giving opportunity to the petitioner as well as 5th respondent, within a period of eight (8) weeks from the date of receipt of a copy of this order. Till then, *Status quo* obtaining as on today shall be maintained.

Accordingly, the writ petition is disposed of. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY, J

21.04.2016
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