

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.44625 of 2016

ORDER:

Petitioner prays for the following relief:

“... to issue Writ or Order or Direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in laying foundation stone over our lands in Sy.Nos.440/2/2, 440/2/1 and 440/1/1 to an extent of Ac.3-07 gts., as wholly arbitrary, illegal and militates against our right under Article 14, 16, 21 and 300 A of Constitution of India, subsequently direct the official respondents to refrain themselves from depriving ourselves of our right to possession and enjoyment of ovr, lands or in the alternatively direct the respondents to take recourse to, for acquisition of the property if it is needed for any public purpose to invoke any provision of Act 30 of 2013 ...”

2. At request of respondents, the writ petition was adjourned on 21.12.2016 to today. The fifth respondent has sent instructions dated 24.12.2016 to learned Government Pleader for Revenue.

The instructions read thus:

“I invite kind attention to the reference cited. Wherein the Govt. Pleader for Revenue for the States of AP and Telangana, Hyderabad has informed that Sri K Venkann & (2) others R/o Mahabubabad Mandal has filed a Writ Petition bearing No.4625 of 2016 stating that, the Revenue Authorities have encroaching into his patta lands situated in Sy.No.440/2/2/, 440/1/2 and 40/1/1 admeasuring to an extent of Ac 3-07 gts of Mahabubabad Village and Mahabubabad Mandal and asked to furnish the instructions in the subject matter.

In pursuance of the instructions, it is to submit that, the lands situated in Sy No.440 of Mahabubabad Village and Mandal is “Patta Land” and neither encroached nor trying to encroach the scheduled land situated in Sy.No.440 of Mahabubabad

Village of Mahabubabad (M) by the Revenue Authorities, as such, the contents of the Writ Petitioner is not correct.

Therefore, it is requested to appraise the facts to the Hon'ble Court for AP and Telangana States, Hyderabad in order to dismiss the writ petition and pass such other order orders as this Hon'ble Court may deem fit and proper in the circumstances of the case."

The instructions are placed on record. The writ petition is disposed of accordingly. As a sequel, the miscellaneous applications pending, if any, shall stand closed. There shall be no order as to costs.

December 29, 2016
DSK

S. V. BHATT, J

