

THE HON'BLE SRI JUSTICE S. V. BHATT

WRIT PETITION No. 21819 of 2008

ORDER:

Heard Mr.C.Buchi Reddy for petitioners, Mr. G.Pamachandra Reddy for 1st Respondent, and the Assistant Government Pleader for Revenue.

2. The petitioners pray for mandamus declaring the action of Respondents in interfering with petitioners' possession of House No.4-6/ 1A, 4-5/ 11 in Sy.No.17/ 3 of Mannanur village, Amarabad Mandal, Mahaboobnagar district without recourse to law, as illegal and unconstitutional.

3. After hearing the learned counsel for sometime and on request of the Assistant Government Pleader for Revenue, this Court on 27.01.2017 adjourned the writ petition to enable the 4th Respondent to file additional counter-affidavit adverting to the developments that have taken place in the matter.

4. The counter-affidavit of 4th Respondent along with annexures is placed on record. The operative portion of the counter-affidavit reads thus:

“It is submitted that subsequently Government proposed alternative site to the petitioners and accordingly 75 square yards of land to each of the petitioner in Sy.No.283/ 14/ 1 of Mannanur village is allotted and pattas were granted in File No.C/ 6851/ 07, dt.29.11.2007. After allotment of above alternative land petitioners herein filed an affidavit before this Authority stating that they are vacating the subject land bearing H.Nos.4-6/ 1A and 4-5/ 11 in Sy.No.17/ 3 situated at Mannanur

village of Amarabad Mandal in lieu of the site allotted. In fact Contempt Case No.1254/ 2008 filed in WP.No.25442 of 2007 was closed in view of the allotment of alternative sites in Sy.No.283 of Mannanur village. It is further submitted that after the allotment of 75 square yards each in Sy.No.283/ 14/ 1 first petitioner herein occupied the same and constructed a basement in the said site and constructed a tin shed and running a Hotel. As a matter of fact petitioners herein already vacated the subject land in Sy.No.17/ 3 of Mannanur village and construction of Bus Station is under progress and pillars were already raised. On 07.02.2007 Mandal Revenue Inspector, Amrabad and VRO, Mannanur along with Sarpanch of Mannanur visited the spot and conducted a Panchanama recording the same and photographs were also taken and photos were submitted to this Respondent. The panchanama and photographs are filed herewith for the kind perusal of this Hon'ble Court."

5. Learned counsel for petitioners submits that the stand of the 4th Respondent may be placed on record, and the petitioners may be given liberty to approach the 4th Respondent for working out remedies if any for allotment of plot.

6. I have perused the stand of the 4th Respondent, and I am satisfied that the stand of 4th Respondent can be accepted, liberty given to petitioners to approach 4th Respondent for completion of balance obligation, if any remains in this behalf, and the 4th Respondent to consider the representation and complete the allotment etc., to petitioners, as stated in the counter-affidavit within eight weeks from the date of representation.

7. The writ petition is disposed of accordingly. As a sequel, the miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

S. V. BHATT, J

February 21, 2017

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