

HON'BLE SRI JUSTICE S.V. BHATT

W.P.No.25889 OF 2015

ORDER:

The stand of 4th respondent on the alleged interference reads as follows:

"It is submitted that the allegation of the writ petitioner that the respondents 4 to 6 are attempting to dispossess them at the instance of respondents 7 to 9 is not correct and herewith devoid. I submit that the pattas issued in favour of the writ petitioners are in vogue, we cannot interfere with their possession and enjoyment of the house sites. I submit that as of now there is no proposal with the authorities to cancel the house pattas issued in favour of the writ petitioner for violation of conditions of patta or for any other reason. It is submitted that the writ petitioners approached this Hon'ble Court only on mere apprehension only".

From the above, it is clear that respondents 1 to 6 are not interfering with the assignment of house site pattas referred to in the writ affidavit or prayer.

Mr.B.S.Reddy, appearing for respondents 7 to 9, submits that his clients are given assignments in the very same survey numbers for the same plots and, therefore, this Court cannot consider and decide a dispute between petitioners and respondents 7 to 9. The objection appears to be tenable.

The writ petition is disposed of by accepting the stand taken by respondent No.4 in the counter affidavit viz., that they are not interfering with the possession of petitioners. As regards rival claims between petitioners and respondents 7 to 9, the same is left open

for consideration by the Revenue Divisional Officer or by a civil Court. There shall be no order as costs.

Consequently, pending miscellaneous petitions, if any, stand closed.

S.V.BHATT, J

16th June, 2017

Lrkm

