

HON'BLE SRI JUSTICE S.V. BHATT

Writ Petition No.23701 of 2017

ORDER:

Heard Mr. I. Koti Reddy for petitioners and the Assistant Government Pleader for respondents.

2. The petitioners pray for the following relief:

“...writ of *mandamus* or an appropriate writ or order declaring the high handed action of the 4th respondent in attempting to dispossess the petitioners from their respective House site Plots 60, 16, 57, 50, 38 & 39 respectively in Survey No.68/4, Konduru Village, Achampeta Mandal, Guntur District, without notice and without following due process of law is illegal, arbitrary and unconstitutional.”

3. On 18.07.2017, at request of the respondents, the writ petition is directed to be taken up today to get instructions in the matter. The Assistant Government Pleader (Assignment) submits that except in respect of 1st petitioner, the pattas standing in the name of petitioners 2 to 6 are required to be examined. As a matter of fact, the subject land is vacant as on date. She further submits that to the extent of first petitioner, if the circumstances warrant for resumption of land, the respondents will follow the procedure. Counsel for the petitioners taking note of the objections raised by respondents, submits that the petitioners have no reason to rely or concoct the documents and they may be permitted to file representation for consideration and decision on the pattas on which they are relying upon by 4th respondent. The request is accepted. The matter, in the considered view of this court, requires examination by 4th respondent before any decision is taken in this behalf.

4. Hence, the writ petition is disposed of by this order.

- a) The petitioners are given liberty to file representation by enclosing Xerox copies of the assignments on which the petitioners are relying upon, within three weeks from today;
- b) The 4th respondent conducts enquiry in this behalf and in the enquiry conducted by 4th respondent, the petitioners shall present all the original documents for inspection and decision;
- c) The 4th respondent decides the matter within two months from the date of receipt of the representation filed by petitioners.
- d) *Status-quo* as regards physical features and possession shall be maintained for a period of three months from today.

No order as to costs. Pending miscellaneous petitions if any in this writ petition shall stand dismissed in consequence.

Date: 19.07.2017
BSS



S.V. BHATT, J

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Date: 19.07.2017

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