

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.9531 of 2012

ORDER:

No representation for petitioner.

Heard learned Assistant Government Pleader for Panchayat Raj and Mr G.Seshadri for the third respondent.

The petitioner prays for mandamus declaring the action of respondents, in trying to dispossess or remove the hut in Sy.No.140/4Ac in an extent of Ac.0.01 cent of Devanur Village, as illegal and unconstitutional.

The complaint of the petitioner is that the respondents admit his possession and, without recourse to law, are trying to remove the hut and dispossess him from the petition land. Hence the Writ Petition.

On 04.04.2012, this Court directed the parties to maintain status quo until further orders. Status quo orders are subsisting as on date.

I have perused the counter affidavit filed by the third respondent. Third respondent admits possession of the petitioner but, however, states that no patta can be granted to enjoy the petition land as it is classified as 'Gramakantam'. Third respondent has jurisdiction to take steps, as are necessary, in the facts situation of the case. The complaint of the petitioner is that dispossessing the petitioner, without recourse to law, is illegal and

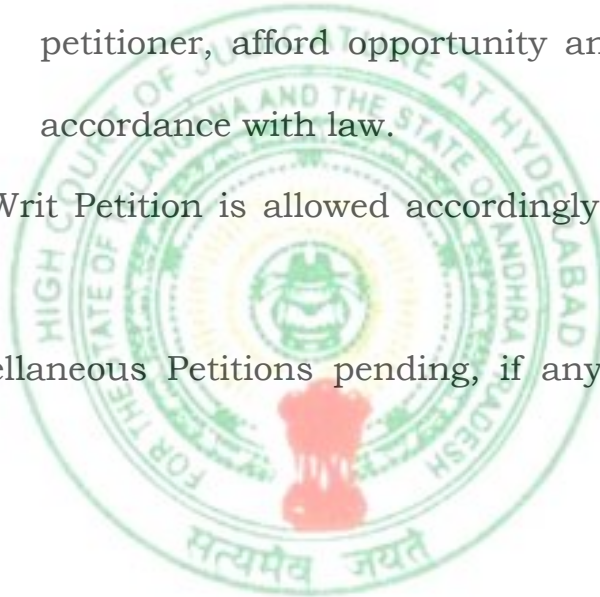
unconstitutional. The possession of the petitioner is admitted by the third respondent.

Having regard to these circumstances, to meet the ends of justice, I am satisfied, if the Writ Petition is disposed of by this order.

- i. Interim order granted on 04.04.2012 is made final order in the Writ Petition; and
- ii. The third respondent, if requires petition land, is given liberty to issue notice to the petitioner, afford opportunity and proceed in accordance with law.

The Writ Petition is allowed accordingly. No order as to costs.

Miscellaneous Petitions pending, if any, shall stand closed.



S.V.BHATT, J

Date:24.01.2017
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