

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.729 of 2013

ORDER:

The writ petition was filed on 07-01-2013 for the following relief :-

“.... to issue any Writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the 1st respondent in attempting to dispossess the petitioner from the land in an extent of Ac.2.50 cents in Sy.No.2/ 2 and Ac.0.50 cents in Sy.No.92, totaling Ac.3.00 cents, of Bata Janagalapalem Village, Sabbavaram Mandal, Visakhapatnam Dist. on 04.01.2013 at 11 a.m. and erecting the Board stating that the above mentioned land belongs to the Government of Andhra Pradesh without issuing any notice and without following the due process of law as per the orders of this Hon'ble Court in W.P.No.10329/ 2006 dt.25.05.2006 and the assignment proceedings dt.15.11.1988 are still subsisting, is high handed, legal, arbitrary, capricious and violative of principles of natural justice and violative of the orders of this Hon'ble court and consequently to direct the respondents not to interfere with his possession of the above mentioned assigned land without following the due process of law and further direct to issue D Form patta and pattadar pass-books and title deed to the said land within the time fixed by this Hon'ble court”

On 09-01-2013, at request of petitioner, the writ petition was adjourned and thereafter it is listed today for admission.

Mr.Bose relies upon proceedings D.R.No.12/98, dated 15-11-1988, the order of this Court in W.P.No.10329 of 2006 dated 25-05-2006 and the Communication dated 28-08-2008 of 1st respondent addressed to the 2nd respondent and contends that

there is no dispute about enjoyment of petition land by petitioner. Now, the respondents are trying to interfere without recourse to law. He alternatively submits that the petitioner can claim lawful possession and right only if a final decision is taken on the letter dated 28.08.2008 and requests the Court to permit the petitioner to represent to respondents for appropriate reliefs.

After perusing the documents on which the petitioner is relying upon, for consideration and disposal of petitioner's grievance by respondents, the writ petition is disposed of by this order.

The petitioner is given liberty to represent to respondents for appropriate orders for assignment/protection of possession etc., by enclosing a copy of this order within four weeks from today. The respondents on receipt of such representation consider and dispose of the same expeditiously, preferably within six months from the date of receipt of representation.

The writ petition is disposed of accordingly. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

Dt: 13-06-2017
Prv

S. V. BHATT, J

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Prv

