

HON'BLE SRI JUSTICE S.V.BHATT

W.P. No.22380 OF 2017

ORDER:

The petitioners pray for the following relief:

“...Writ of Mandamus, declaring the action of the 4th respondent in trying to dispossess the petitioners 1 to 3 from the land an extent of each Ac.2.00 guntas and the 4th petitioner from an extent of Ac. 0.34 guntas in Sy.No.113 of Yellamdoddi Village, Gattu Mandal, Jogulamba Gadwal District in spite of the assignment pattas granted in the petitioners favour are in existence and without following due process of law is illegal, arbitrary and in violation of principles of natural justice and consequently direct the 4th respondent not to dispossess the petitioners 1 to 3 from the land an extent of each Ac.2.00 guntas and the 4th petitioner from an extent of Ac. 0.34 guntas in Sy.No.113 of Yellamdoddi Village, Gattu Mandal, Jogulamba Gadwal District...”

The petitioners rely upon documents in support of assignment and actual possession and enjoyment of property. The cause of action for filing the writ petition is that respondent No.4 at the instance of respondent No.5 is interfering with the possession and enjoyment of the petitioners of subject matter of writ petition.

The learned Assistant Government Pleader, basing on the written instructions of even date, submits that respondents 2 to 4 are not interfering with the possession and enjoyment of the petitioners of subject matter of writ petition. It is further stated that the respondents are not supporting the 5th respondent as well.

According to him, so far as respondents 1 to 4 are concerned, the writ prayer is misconceived.

I have perused the writ affidavit and also taken note of the submissions made on behalf of respondents 1 to 4.

The statement of Assistant Government Pleader on behalf of respondents 1 to 4 that they are not interfering with the possession and enjoyment of the petitioners is placed on record.

To meet the ends of justice, I am satisfied that the writ petition can be disposed of by this order:

The petitioners, if have grievance against 5th respondent, have to work out remedies elsewhere as the nature and complexion of such dispute cannot and ought not to be considered under Article 226 of the Constitution of India.

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

Miscellaneous petitions pending, if any, shall stand closed.

S.V.BHATT,J

Date:07.07.2017

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