

HON'BLE SRI JUSTICE S. V. BHATT

Writ Petition No.24243 of 2017

ORDER:

Heard Mr. K. Harish Kumar for petitioner and the Assistant Government Pleader (Revenue) for respondents.

2. The subject matter of the writ petition covers a small extent, measuring 75 sq. yards in Sy.No.127, correlated to TS No.1/ 1, Block-B, Yousufguda Village. The petitioner relies upon the assignment patta granted in favour of petitioner in terms of G.O.Ms.No.58, Revenue (ASSN.II) Department dated 30.12.2014. The complaint of petitioner is that the respondents are interfering with the possession and enjoyment of construction activity of petitioner on the plot, now identified as house bearing No.8-3-169/ 460/ 54.

3. On 24.07.2017, at request of respondents, the writ petition is directed to be listed today. The Assistant Government Pleader (Revenue) firstly submits that for the present, the respondents are not interfering with the possession and enjoyment of petitioner, except in accordance with law. According to the 4th respondent, a report is already forwarded to 3rd respondent on the alleged illegality or suppression of material fact in obtaining patta under G.O.Ms.No.58 dated 30.12.2014. The issue is now considered by 3rd respondent. The 3rd respondent would pass orders, after affording opportunity to petitioner as well. The statement is placed on record.

4. Having regard to the pendency of the issue before the 3rd respondent, counsel for petitioner submits that the petitioner would not also make further construction and await participation in enquiry and

decision by 3rd respondent. He further requests the court to direct the 3rd respondent to consider the case of petitioner from the perspective of eligibility and also the documents basing on which the patta was granted. This court has no reason to doubt at this stage of the matter that if detailed reply is submitted by petitioner to the notice issued by 3rd respondent, who examines all aspects and passes order.

5. The writ petition is disposed of as indicated above. No order as to costs. Pending miscellaneous petitions if any in this writ petition shall stand dismissed in consequence.

Date: 28.07.2017
BSS

S.V.BHATT, J



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