

HON'BLE SRI JUSTICE S. V. BHATT

Writ Petition No.24113 of 2017

ORDER:

The petitioner has filed instant writ petition seeking protection from illegal and unauthorised interference by respondents 3 and 4 in petitioner's patta land in an extent of Ac.3.37 gts. in Sy.No.168 situated at Ramajipeta Village, Yadagirigutta Mandal, Yadadri-Bhongir District.

2. The petitioner relies upon the pattadar pass book issued by 4th respondent for subject land in respect of petitioner's right and entitlement. Both prayer and the documents deal with the Sy.No.168 of Ramajipeta village.

3. The Assistant Government Pleader (Revenue) places on record the notices dated 23.12.2016 and 23.03.2017 and contends that the 4th respondent or his staff, are not interfering with possession and enjoyment of the petitioner's land in Sy.No.168. According to the 4th respondent, the petitioner is encroaching into Sy.No.167, which is classified as 'sikham' land and the notices are issued to remove the encroachment.

4. Mr. C. Damodar Reddy, contends that the 4th respondent, without conducting survey and demarcation of Sy.No.168 on one hand and Sy.No.167 on the other hand, cannot hypothetically assumes that the possession now claimed by the petitioner is relatable to Sy.No.167. He further submits that the petitioner, being *octogenarian*, is not interested in encroaching into 'sikham' land and the petitioner is prepared to file revision/ explanation to the notice dated 23.03.2017, requests the 4th respondents to conduct survey and demarcate both

survey numbers, thereafter let the respondents not to interfere with the petitioner's possession of land in Sy.No.168. The statement is placed on record.

5. The writ petition is disposed of by this order.

a) The court has directed the Assistant Government Pleader to pass the notices refer to above to Sri C. Damodar Reddy, counsel for petitioner;

b) The petitioner is given four weeks time from today to represent to respondents for survey and demarcation of Sy.Nos.168 and 167 and to fix the boundaries;

c) The respondents are directed not to interfere with the land surveyed and demarcated as Sy.No.168 and are free to remove the encroachments in Sy.No.167 of 'sikham' land;

d) The parties are directed to maintain *status quo* as regards to physical features and possession, for a period of two months from today.

e) The exercise directed to be carried out by this order, shall be completed within two months stipulated in this behalf.

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

Date: 24.07.2017
BSS

S. V. BHATT, J

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