

HON'BLE SRI JUSTICE S.V. BHATT

W.P. No.12625 OF 2016

ORDER:

The petitioner prays for the following relief:

“...Writ of Mandamus declaring the action of the 1st respondent Tahsildar in interfering with the peaceful possession and enjoyment of the petitioner property admeasuring Ac.2.00 in Sy.No.28 situated at Sankaram Village, Anakapalli Mandal, Visakhapatnam District without due process of law as illegal, arbitrary and in violation of Article 300-A of the Constitution of India and consequently direct the respondents not to interfere with the petitioner's property admeasuring Ac.2.00 cents in Sy.No.28, situated at Sankaram Village, Anakapalli Mandal, Visakhapatnam District without due process of law...”

On 18.04.2016, the writ petition was admitted. The respondents are yet to file the counter affidavit. Counsel for petitioner submits that the petitioner *prima facie* is in a position to establish possession and enjoyment of the subject matter of writ petition. He submits that the respondents, if intend to interfere with petitioner's possession or right, the respondents may be directed to follow the procedure stipulated by law.

The Assistant Government Pleader submits that the respondents are not in a position to admit whether the assignment was granted or not. The petitioner, if is in possession, the possession of petitioner or his right is not disturbed except in accordance with law. The statement is placed on record and the writ petition is disposed of accordingly. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

S.V.BHATT, J

Date:24.07.2017
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