

HON'BLE SRI JUSTICE S.V. BHATT

W.P.No.17123 OF 2016

ORDER:

Heard Mr.K.Ramesh Babu for petitioner, learned Assistant Government Pleader (Revenue) for respondents 1 to 6 and Standing Counsel for respondents 7 and 8.

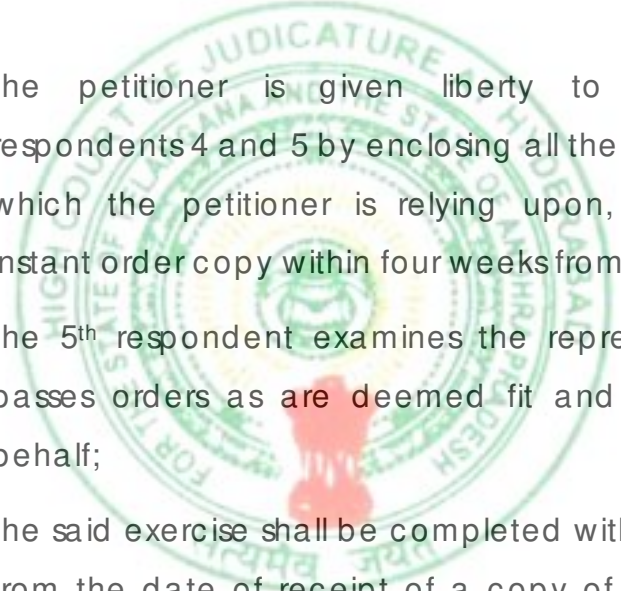
The petitioner basing upon proceedings dated 10.06.1980 claims to be in possession and enjoyment of an extent of Ac.2-00 in Sy.No.202 of Ugginnapalem Village, Kasimkota Mandal, Visahapatnam District. The complaint of petitioner is that respondents without recourse to law are interfering with her possession and enjoyment. Hence, the writ petition.

On 03.06.2016, this Court directed the parties to maintain *status quo* as on 03.06.2016. The *status quo* order is subsisting till date.

Respondents 2 to 5 have not filed counter-affidavit or a petition to vacate the interim order. The Assistant Government Pleader (Revenue) refers to written instructions dated 08.06.2016 and contends that the subject matter of the writ petition is a tank poramboke and the assignment relied upon by the petitioner is illegal. The case of petitioner is that the respondents are interfering with her possession without recourse to law. The petitioner to show raising of crop has placed on record photographs as one of the annexures.

After going through the material available on record and also the written instructions, this Court is of the view that the grievance at

the first instance is required to be considered and examined by the 5th respondent. Having taken note of the view expressed by this Court, counsel for petitioner requests the Court to permit the petitioner to represent to respondents 4 and 5 for necessary protection or direction in this behalf and to further direct the respondents to dispose of the application expeditiously. After taking note of the limited submissions, perusing the record filed by the petitioner and in the absence of counter affidavit by respondents, I am satisfied that the writ petition can be disposed of by this order:

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- (a) the petitioner is given liberty to represent to respondents 4 and 5 by enclosing all the documents on which the petitioner is relying upon, including the instant order copy within four weeks from today;
 - (b) the 5th respondent examines the representation and passes orders as are deemed fit and proper in this behalf;
 - (c) the said exercise shall be completed within two months from the date of receipt of a copy of representation from petitioner; and
 - (d) the parties are directed to maintain *status quo* for a period of three months from today.

The writ petition is, accordingly, disposed of. There shall be no order as to costs.

Consequently, pending miscellaneous petitions, if any, stand closed.

24th July, 2017
LrkM

S.V.BHATT, J