

HON'BLE SRI JUSTICE S.V. BHATT

W.P.No.23782 OF 2016

ORDER:

Heard Mr.Bussa Rajendra for petitioner and the Assistant Government Pleader (Assignment) for respondents.

The petitioner relies upon assignment No.173/4/1339 and V.H.SNo.1/1399 to claim assignment of an extent of Ac.1-33 Cts, which includes a house in an extent of Ac.0-05 Cts, in Sy.No.84/6. The petitioner to prove actual and physical possession has filed photographs as one of the annexures to prove physical enjoyment of Sy.No.84/6 of Pantrampalli Village & Post, Chittoor Mandal & District.

The grievance of petitioner is that the respondents are interfering with petitioner's possession without recourse to law. The Assistant Government Pleader (Assignment) vehemently contends that unless and until the assignment in favour of petitioner is admitted by respondents or some evidence is placed before the Court to show the enjoyment by petitioner's wife, presuming possession under assignment is illegal and untenable. As the respondents are yet to send instructions, she further submits that opportunity may be given to respondents to initiate action without expressing a view on the documents on which the petitioner is relying upon in case the respondents desire to disturb the possession of petitioner. The statement is placed on record.

After taking note of the rival submissions, the writ petition is disposed of by granting liberty to respondents to proceed in

accordance with law. At that juncture, they can examine the documents on which the petitioner is relying upon. Till procedure is followed and orders communicated, parties are directed to maintain *status quo* as regards possession and physical features of the property.

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