

THE HON'BLE SRI JUSTICE S.V.BHATT

W.P. No.21956 of 2007

ORDER:

No representation for petitioners on 09.03.2018 as well as today.

Heard the learned Assistant Government Pleader for Revenue.

The petitioners pray for *mandamus* declaring that the respondent has no jurisdiction to issue the impugned proceedings (Notice B.No.3012/07 Dt.-9-2007) after calling for the records leading upto the impugned notice and set aside the same as illegal, arbitrary and unconstitutional in respect of the land measuring Ac.3-34 guntas in Sy.No.1032/2 of Arutla (V & M), R.R.District.

The petitioners rely on setwar prepared for the year 1954-55 and 1955-56, pahanies from the years 1976-77 to 2002 to 2004-05 and pattadar pass book and rights of records issued by the Mandal Revenue Officer. According to petitioners, they are in possession and enjoyment of petition land. The interference with their possession of petition land without recourse to law is illegal, arbitrary and unconstitutional.

No counter affidavit is filed by the respondent.

Be that as it may, on 12.10.2017, this Court granted interim stay of all further proceedings including dispossession of petitioners from the petition land. The interim order is subsisting. Hence, the interim order is made final order in the writ petition subject to granting liberty to respondent to interfere with the petitioners' possession of petition land, in accordance with law.

Writ petition is disposed of, as indicated above. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

Dt: 12.03.2018
dv

S. V. BHATT, J



