

HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.14765 of 2007

ORDER:

Heard Mrs.S.Madhavi holding for Sri C.Raghu for petitioner and the learned Assistant Government Pleader (Assignment) for respondents.

The petitioner prays for Mandamus declaring the action of respondents in trying to dispossess petitioner from the property measuring Ac.1-55 cents in Sy.Nos.230/1 and 234/2 of Polasanipalli Village, Nuzvid Mandal, Krishna District, without recourse to law, as illegal, arbitrary and unconstitutional.

The petitioner in support of her claim relies on pattadar pass book said to have been issued by 2nd respondent and receipt dated 29.07.2003 evidencing borrowing amount from Co-operative Bank.

On 12.07.2007, this Court while admitting the writ petition granted interim stay of dispossession of petitioner from the property measuring Ac.1-55 cents in Sy.Nos.230/1 and 234/2 of Polasanipalli Village, Nuzvid Mandal, Krishna District.

The interim order is subsisting as on date.

The respondents neither filed counter affidavit nor vacate stay petition.

The Assistant Government Pleader requests further time to file counter affidavit.

The writ petition was filed in the year 2007. The respondents have hardly taken steps to contest the matter for the past 11 years and, therefore, granting of time for filing counter affidavit may not serve a fresh purpose in disposing of the writ petition.

To meet the ends of justice, the writ petition is disposed of by this order.

(a) The interim order granted by this Court on 12.07.2007 is continued for a period of four months from today, subject to the condition of the petitioner representing to 2nd respondent, within four weeks from today, by enclosing a copy of this order, all the grievances the petitioner has in this behalf vis-à-vis petition land.

(b) The 2nd respondent examines the representation, if necessary, conducts enquiry and passes orders on the representation, within two months from the date of receipt of representation from petitioner.

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

No order as to costs.

S. V. BHATT, J

Dt: 09.03.2018
Prv

