

HON'BLE SRI JUSTICE S.V. BHATT

W.P.No.18537 OF 2018

ORDER:

Heard Mr.K.Rathanga Pani Reddy for petitioners and the Assistant Government Pleader (Assignment) for respondents.

The petitioners pray for the following relief:

“...this Hon'ble Court may be pleased to issue writ of Mandamus declaring the action of the 3rd and 4th respondents in resorting to assign/allot the Petitioners' house site plots Nos.2, 5, 9, 10, 17, 18, 19 & 21 in survey No.326/1B of Masidapuram Village, Mahanandi Mandal, Kurnool District to third parties, though pattas granted in favour of the petitioners by the then 4th respondent Tahsildar vide proceedings in RCA/76/2012 dated 18.08.2012 and RCA/76A/2012 dated 02.05.2012 are subsisting, only by succumbing to political pressures in flagrant disregard to law, as being illegal, arbitrary and is in violation of Articles 14 21 and 300-A of the Constitution of India and consequently direct the respondents not to interfere with the peaceful possession and enjoyment of the petitioners over the aforesaid plots by dispossession or otherwise and pass.....”

The petitioners in support of the grant of assignment in their favour rely on the assignments granted on 02.05.2012.

On 06.06.2018, time was granted to Assistant Government Pleader to get instructions on the genuineness of pattas relied on by the petitioners. The Assistant Government Pleader, on instructions, submits that though there is no record maintained in the office of respondent No.4 in respect of assignments made in favour of petitioners, but on enquiry by the present Tahsildar with the predecessor disclosed that the assignments were made by the then Tahsildar of Mahanandi Mandal. It is further stated that the

respondents, if seek cause of action and permissible grounds to recall the assignment, the respondents would follow the procedure stipulated by law and till such time, the possession of petitioners of small extents of house plots is not disturbed. The statement is placed on record.

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

Pending miscellaneous petitions, if any, stand closed.

08th June, 2018

Lrkm



S.V.BHATT, J