

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.22326 of 2018

ORDER:

Heard Mr.I.Koti Reddy for petitioners and the learned Assistant Government Pleader for respondents.

The petitioners complain dispossession or demolition of structures in their possession pursuant to the possession certificates issued in their favour, particularly without recourse to law, as illegal, arbitrary and unconstitutional.

The petitioners refer to possession certificates and also a few photographs filed as annexure-P3 to evidence possession, existence of structures and enjoyment by the petitioners.

The Assistant Government Pleader places on record the written instructions dated 02.07.2018 and contends that the petitioners are unable to produce the orders of assignment, if any granted in their favour. The petitioners by referring to possession certificates are constructing houses wherever vacant plots are available. On the proposed dispossession or demolition, the Assistant Government Pleader draws the attention of the Court to the following paragraphs:

“I submit that the Village Revenue Officer, Thadi has made a complaint against Salapu Atchibabu S/o Appala Swamy and Salapu Nookaraju S/o Mahalakshmi to the Station House Officer, Parawada on 03.06.2018 it is under enquiry.

I submit that Salapu Ramanamma W/o Atchibabu (P4) and 8 others has approaching Hon'ble High Court, A.P.Hyd., with a mollified intention to grab the Govt. land. The petitioners have violated the conditions of the patta and the petitioners have constructed the house in the allotted the plot

within 6 six months from the date of allotment of the site / grant patta but the petitioners without showing their pattas they are trying to construct on the vacant land in Sy.No.93 of Thadi Village in the overnights.”

I have perused the record and also the written instructions dated 02.07.2018. The controversy seems to be whether the petitioners by referring to possession certificates can raise constructions and whether the petitioners are under obligation to satisfy by producing the documents in their possession and custody, when the issue is enquired into by respondent Nos.3 to 5. On this limited aspect, this Court does not propose to enquire further into the matter.

To meet the ends of justice and also to align the fears of petitioners that the respondents follow the procedure, the writ petition is disposed of by this order.

- (a) The petitioners are given liberty to file representation together with the original documents in their possession before the 3rd respondent by enclosing a copy of this order, within four (04) weeks from today.
- (b) The 3rd respondent causes enquiry, offers opportunity to petitioners and passes orders in accordance with law.
- (c) The parties are directed to maintain *status quo* as regards possession and physical features of the house plots claimed by petitioners, till the order is passed and communicated. No order as to costs.

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

S. V. BHATT, J

Dt: 03.07.2018
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