

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.24508 of 2018

ORDER:

The petitioners pray for the following relief:

“WRIT OF MANDAMUS declaring the action of 3rd respondent in interfering with the possession and enjoyment of petitioners with reference to plot Nos.4, 5 and 6 belonging to the 1st petitioner, plot No.3 belonging to 2nd petitioner, plot No.8 belonging to 3rd petitioner, plot No.1 belonging to 4th petitioner, plot No.2 belonging to 5th petitioner, plot No.7 belonging to 6th petitioner, plot No.9/Part belonging to 7th petitioner, plot No.9/Part belonging to 8th petitioner and plot No.9/Part belonging to 9th petitioner under an approved layout, which was regularized under LRS Scheme by the Competent Authority in Sy.Nos.249, 250 and 251 of Quthbullapur Village and Mandal presently in Medchal-Malkajigiri District (old Ranga Reddy District) without following due process of law, as bad, illegal, arbitrary, discriminatory and offends Articles 14, 21 and 300-A of Constitution of India....”

The learned Assistant Government Pleader referring to written instructions dated 17.07.2018 states that respondent No.3 has set in motion the procedure under the Land Encroachment Act, 1905. He draws the attention of the Court to the notice dated 09.07.2018 and also substituted service of notice effected through panchanama dated 09.07.2018.

Mr.Venugopal Rao contends that the petitioners have not received notices and even before notices are received, the 3rd respondent is demolishing the compound walls constructed by owners and such action on the part of 3rd respondent is arbitrary and unconstitutional.

Keeping in view, the nature of prayer and the written instructions dated 17.07.2018, the counsel appearing for the parties consent to disposing of the writ petition by this order:

- (a) The 3rd respondent sends notices within two (02) weeks by registered post with acknowledgment due to all the petitioners to the addresses given in the writ petition.
- (b) The petitioners are given further time of four (04) weeks to submit reply/explanation to the notices.
- (c) The 3rd respondent thereafter passes orders and communicates to petitioners expeditiously.
- (d) Till the orders are passed and communicated, the parties are directed to maintain *status quo* as regards physical features and possession, as on date.

The Assistant Government Pleader is directed to communicate the order forthwith to respondents 2 and 3. No order as to costs.

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

S. V. BHATT, J

Date: 17.07.2018
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