

THE HON'BLE SRI JUSTICE S.V.BHATT

W.P. No.6367 of 2017

ORDER:

Heard the Assistant Government Pleader for Assignment. No representation for petitioner today as well as yesterday.

The petitioner prays for mandamus declaring the action of respondents in trying to evict petitioners from the huts raised by them in Sy.No.1797/1-3 of Gurazala Village and Mandal, without considering representations dated 01.09.2011 and 11.11.2011, as illegal, arbitrary and unconstitutional.

The Assistant Government Pleader on instructions submits that the land in Sy.No.1797/1-3 measures Ac.3-23 cents and is classified as Government Poramboke. The pattas relied on by the petitioners are not produced for inspection by 4th respondent, on ground, the entire land is vacant, and no hut or a structure is raised. Therefore, the possession claimed by petitioners is disputed. It is further stated in view of G.O.Ms.No.1493 Revenue (assign.POT) Department, date:01.12.2007, there is ban for assignment of Government land within 2 k.ms from town. Sy.No.1797/1-3 comes within the

prohibitory zone. It is further stated as and when pattas are granted, the cases of petitioners are also considered subject to eligibility and availability of documents.

In view of the stand taken by the respondents, I am satisfied, the writ prayer as made or any other alternate prayer can be considered by this Court.

Writ petition fails and accordingly dismissed. No order as to costs.

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

Dt: 17.04.2018
dv

S. V. BHATT, J



