

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.11167 OF 2018

ORDER:

When the matter is taken up for hearing, counsel for the petitioner had contended that the respondents are interfering with the peaceful possession of the patta agricultural lands of the petitioner for certain works to be undertaken under Mission Kakatiya. In those set of circumstances, the present writ petition is filed.

Counsel for the petitioner had further contended that this Court was pleased to grant interim order on 04.04.2018 to the effect that the respondents shall not meddle with the private property of the petitioner, but however it was left open to the respondents to proceed as per law. Subsequently, on 16.04.2018, the interim order granted on 04.04.2018 was continued pending further orders and it was made clear that the said order would not preclude the respondent authorities from conducting survey for locating the subject property, in the presence of the petitioner. Counsel for the petitioner had contended that without complying with the said interim orders, the respondents have filed the vacate stay petition.

Government Pleader appearing for the respondents had contended that along with the vacate stay petition, the respondents filed counter affidavit, wherein the respondents have taken a specific stand that they are not interfering with the patta lands of the petitioner and they are only undertaking the repair works of old tank by

strengthening the bund and also undertaking repair works to the sluice and weir.

This Court, having considered the submissions of learned counsel for respective parties, is of the considered view that when the respondents have filed counter affidavit stating that they are not interfering with the peaceful possession of the petitioner, by taking the same into account and also taking into account the submissions of the standing counsel, the writ petition is disposed of directing the respondents not to dispossess the petitioner from the patta land. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

30th January, 2020
v v

