

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION NO.40024 OF 2014

DATED:23-11-2015

Between:

Meda Shoba Rani ... Petitioner

And

State of Telangana

Rep. by its Principal Secretary to Government

Municipal Administration and Urban Development Department

Secretariat

Saifabad

Hyderabad

and others ... Respondents

COUNSEL FOR THE PETITIONER: Mr. Koneti Raja Reddy

COUNSEL FOR RESPONDENT NO.1: A.G.P. for Municipal Administration
(TS)

COUNSEL FOR RESPONDENT NO.2: Mr. N. Praveen Kumar,
Standing Counsel for Nagar
Panchayats (TS)

COUNSEL FOR RESPONDENT NO.3: A.G.P. for Revenue (TS)

COUNSEL FOR RESPONDENT NOS.4 to 6: Mr. I. Koti Reddy

THE COURT MADE THE FOLLOWING:

ORDER:

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The petitioner, who claims to be the owner of an extent of Ac.2.25 guntas of land in Sy. No.76 of Sathupalli, Khammam District, filed this writ petition feeling aggrieved by the purported action of respondent No.2 in seeking to take over a strip of vacant space occupied by the petitioner adjacent to the shopping complex constructed by her.

In the counter affidavit filed by respondent No.2 it is *inter alia* stated that as against

Ac.2.25 guntas, the petitioner is in occupation of Acs.2.32 guntas and that this fact shows that the petitioner is in occupation of the land vested in the municipality.

Admittedly, no notice has been issued by respondent No.2. The writ petition is filed on a mere apprehension that the petitioner may be evicted from the strip of the vacant land. Therefore, I am of the opinion that the writ petition is premature. In the event, respondent No.2 seeks to recover possession of the vacant strip, which is allegedly situated in Sy. No.76, it shall issue a notice to the petitioner and follow the due process of law. If the petitioner feels aggrieved by any action that may adversely affect her interest, she shall be free to file a civil suit before the Court of competent jurisdiction for declaration of her title over the disputed land.

Subject to the liberty given to the petitioner as above, the writ petition is disposed of.

As a sequel to disposal of the writ petition, W.P.M.P. No.50197 of 2014, W.V.M.P. (SR) No.8914 of 2014 and W.V.M.P. No.730 of 2015 shall stand disposed of as infructuous.

C.V. NAGARJUNA REDDY, J

23-11-2015

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