

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH

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WRIT PETITION No.29402 of 2015

BETWEEN

E. Thirumalamma and others.

... PETITIONERS

AND

The State of Telangana, rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad and others.

...RESPONDENTS

DATE OF JUDGMENT PRONOUNCED: 28.09.2015

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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| 1. | Whether Reporters of Local newspapers may be allowed to see the Judgments? | No |
| 2. | Whether the copies of judgment may be marked to Law Reporters/Journals? | No |
| 3. | Whether Their Ladyship/Lordship wish to see the fair copy of the Judgment? | No |

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ORDER:

Petitioners, who claim to be assignees of house plots during the year 2008 and 2009 in Sy.No.132 of Vattinagulapally village, Rajendranagar Mandal, state that each one of them is allotted 60 sq. yards. Alleging that the fourth respondent is interfering with their house plots and trying to dispossess them, the petitioners have filed the present writ petition.

2. Learned Government Pleader has received instructions, which state that about 352 beneficiaries including the petitioners were allotted house site plots of 60 sq. yards each during the year 2008 and 2009 and as per condition No.2 of the house site patta, constructions is required to be made by the beneficiaries within six months.

It is stated that after lapse of more than six years, the petitioners are now proposing to take up construction and therefore, the construction activity was objected to by the officers of the fourth respondent.

It is also stated that appropriate action for cancellation of house site patta is likely to be initiated.

3. It is evident from the above that as on today, the house site pattas granted to the petitioners are in existence and are in force. Hence, as long as the said pattas are not cancelled, the fourth respondent or his subordinates shall not interfere or take action to dispossess the petitioners from their respective plots. Petitioners are also restrained from taking up constructions after long lapse of time that too without seeking appropriate permission from the competent authority. Hence, until the petitioners obtain appropriate construction permission, no construction shall be taken up on the house sites by any of the petitioners. However, the petitioners can remain in enjoyment and possession of their respective plots. It is also made clear that if any action is intended to be taken against the petitioners, the fourth

respondent shall follow due process of law viz. issuance of appropriate notice giving opportunity to the petitioners to submit explanation and thereafter, take appropriate further action in accordance with law.

The writ petition is disposed of. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

September 28, 2015
DSK