

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.11837 of 2011

ORDER:

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Heard learned counsel for the petitioners and learned Government Pleader for Revenue.

The present Writ Petition came to be filed seeking to declare the action of the respondents in interfering with the peaceful possession and enjoyment of the petitioners and taking steps to demolish the properties in premises bearing Nos.1-10-157/A, admeasuring 150 Square Yards in Survey No.210, Plot No.5 (part), 1-10-157/B, admeasuring 150 Square Yards in Survey No. 210, Plot No.5(part), Dwarakapuram, Dilsukhnagar, Hyderabad and 1-8-44/7/2, admeasuring 200 Square Yards in Survey No.210, Plot No.4/A, Road No.2, Block No.M, Ganeshpuri Colony, Hyderabad, without any notice, as illegal and arbitrary and consequently direct the respondents not to interfere with the peaceful possession and enjoyment of the petitioners in the aforementioned properties.

The petitioners herein claimed to be in peaceful possession and enjoyment of properties bearing Nos.1-10-157/A, admeasuring 150 Square Yards in Survey No.210, Plot No.5 (part), 1-10-157/B, admeasuring 150 Square Yards in Survey No. 210, Plot No.5(part), Dwarakapuram, Dilsukhnagar, Hyderabad and 1-8-44/7/2, admeasuring 200 Square Yards in Survey No.210, Plot No.4/A, Road No.2, Block No.M, Ganeshpuri Colony, Hyderabad, since long time and they are said to be absolute owners of the above said properties. The first petitioner is said to have purchased the said property vide registered document No.10089/2006, dated 10.07.2006, the second petitioner purchased the said property vide document No.16400/06, dated 03.11.2006 and the third petitioner purchased the said property vide document No.6429/1998, dated 24.08.1998. The averments in the affidavit would show that one Meka Sri Ramulu is the land lord of Acs.12.20 guntas, out of which he has done a layout in Acs.06.10 guntas and remaining land of Acs.06.10 guntas is subject matter of dispute in A.P. Land Grabbing Court vide L.G.C.No.183/1996. In the said case, 23 persons were shown as parties wherein the petitioners were not shown to be the parties. The said Meka Sri Ramulu gave 850 Square Yards to one Sabi Mangaiah on 15.12.1969. Out of the said 850 Square Yards, the second petitioner purchased land admeasuring 300 Square Yards from Sabi Mangaiah and out of the same, the first petitioner purchased 150 Square Yards from the second petitioner. The third petitioner purchased land to an extent of 200 Square Yards from one S.Ramachandra Reddy vide registered document No.6429/1998, who acquired the said land from Meka Sri Ramulu, Badugu Vasudha and B.Penta Reddy. In view of the above transactions, the petitioners claimed right over the said properties. It is stated that the respondents are taking steps to demolish the properties by colluding with the sons of Meka Sri Ramulu, without verifying the fact that the petitioners are the owners of the said properties and without following due procedure of law. Challenging the said action of the respondents, the present Writ Petition came to be filed.

Learned Government Pleader, on instructions, submits that the other encroachers in the said land, who are parties to the L.G.C. Case, were evicted by following due process of law.

In view of the above, learned counsel for the petitioners seeks a direction to the respondents to follow due process of law before taking any steps against them.

In view of the above submissions made and without going into the merits of the case, the Writ Petition is disposed of directing the respondents not to dispossess the petitioners from the land, if they are in possession of the same, without following due process of law. No costs.

Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

18.08.2015
vnb

JUSTICE C. PRAVEEN KUMAR