

THE HON'BLE SRI JUSTICE A. RAJASHEKHER REDDY

WRIT PETITION No.13981 of 2010

Date: 07-10-2015

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Between:

1. Smt. J. Uma Devi and another

PETITIONERS

AND

The Warangal Municipal Corporation,

Rep. by its Commissioner,

Warangal District.

RESPONDENT

THE HON'BLE SRI JUSTICE A. RAJASHEKHER REDDY

WRIT PETITION No.13981 of 2010

ORDER:

The case of the petitioners is that the 1st petitioner purchased an open plot admeasuring 130 sq. yards in Sy.No.245, situated at Lasker Singaram Village, Warangal District, and constructed a dwelling unit consisting of three rooms in the year 1993-94. Thereafter, the 1st petitioner, who is non other than the sister of the 2nd petitioner, gifted the above dwelling unit in favour of the 2nd petitioner by way of registered gift settlement deed dated 27.01.2010 and since then the 2nd petitioner has been in possession and enjoyment of the said property. When the 3rd respondent visited the property on 10th and 11th June 2010 and marked 8 feet polling into dwelling unit to have road to 3rd parties, without issuing any notice or following due process of law, the petitioners filed the present writ petition.

Heard learned counsel for the petitioners and Smt. Pingali Lakshmi learned Standing Counsel for the respondent-Municipal corporation Warangal District.

On 22.06.2010, this Court while admitting the writ petition granted interim direction to the respondent not to interfere with the possession of the petitioners in House No.2-4-872 in any manner whatsoever without following due process of law.

Though five years have elapsed no counter affidavit is filed by the respondent-corporation.

Having regard to the fact that the petitioner is asserting his title and so far no counter affidavit has been filed by the respondent-corporation, I deem it appropriate to make the interim order as final order.

Accordingly the writ petition is disposed of making the interim order as final order. Miscellaneous petitions pending, if any, shall stand closed. No order as to costs.

A. RAJASHEKHAR REDDY.

7th October, 2015

Js.