

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

WRIT PETITION NO.23774 of 2015

Between :

Gantakoru Chinna Talli W/o.Appala Naidu,
Aged 55 yrs, R/o.Mutyamamba Colony,
Vepagunta Village, Pendurthi Mandal,
Visakhapatnam District, Andhra Pradesh.

.. Petitioner

and

The State of Andhra Pradesh,
Rep., by its Principal Secretary,
Municipal Administration Department,
Secretariat, Hyderabad & others

.. Respondents

DATE OF JUDGMENT PRONOUNCED : 30.07.2015

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SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE P.NAVEEN RAO

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1. Whether Reporters of Local Newspapers : Yes / No
may be allowed to see the Judgments ?

2. Whether the copies of judgment may be : Yes / No
marked to Law Reporters/Journals

3. Whether Their Lordship wish to : Yes / No
see the fair copy of the Judgment ?

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

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WRIT PETITION No.23774 of 2015

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ORDER :

The claim of the petitioner is that he was given possession certificate on 16.05.2003 by the Mandal Revenue Officer, Pendurthi, showing his possession to an extent of 60 Square yards in Sy.No.75 part of Vepagunta village of Pendurthi Mandal. The petitioner is in possession and enjoyment of the said extent and constructed a thatched house. The same collapsed due to Hudhud cyclone last year, and due to financial constraints he is unable to reconstruct the same. The petitioner contends that the officers of the 2nd respondent are visiting the site of the petitioner and threatening him to evict from the said land, and that no construction should be taken up on the said site.

2. No material is filed in support of the contention that he is the owner of the plot, either by way of allotment or purchase made by him. Possession certificate issued by the Mandal Revenue Officer, do not confer title on the petitioner on the said extent of land. It is not explained as to why the Municipal authorities have come to the alleged place and sought to evict him. However, the responsibility vests in petitioner to show that he is in valid possession of land to an extent of 60 Square yards in Sy.No.75/P of Vepagunta village.

3. Having regard to the same, the Writ petition is disposed of, granting liberty to the petitioner to submit a detailed representation to the 2nd & 3rd respondents along with material documents in support of his claim within a period of one week from the date of receipt of copy of this order. As and when such representation is received, the respondent-Corporation shall consider the same, in consultation with the Tahsildar, Pendurthi Mandal, and inform the petitioner about the decision taken. A decision to that effect on the representation of the petitioner shall be taken and communicated to the petitioner before any coercive steps are taken against the petitioner. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

30th July, 2015.
Rds

P.NAVEEN RAO,J