

THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY THIS THE SECOND DAY OF APRIL
TWO THOUSAND AND FIFTEEN

PRESENT

THE HON'BLE MR JUSTICE A.RAMALINGESWARA RAO

-

WRIT PETITION No.13156 of 2005

Between:

Smt.P.Urmila and another

..... PETITIONERS

AND

The District Collector, R.R.District at

Lakdikapool, Hyderabad and another

.....RESPONDENTS

The Court made the following:

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRI PETITION No.13156 of 2005

-

ORDER:

-

This writ petition was filed challenging the action of the respondents and their staff in taking steps to allot the land of the petitioners in Plot Nos.132 & 136, admeasuring 600 square yards in Sy.Nos.71 & 72 of Karmanghat village, Erstwhile Hyderabad (East) Taluk, presently Saroornagar Mandal, R.R.District to third parties.

It is the case of the petitioners that they purchased the said land under registered sale deeds dated 16.01.1979 and 12.04.1979 respectively from its rightful owners. When the respondents started interfering with the said lands, number of plot owners filed W.P.No.34303/1997 and batch and they were dismissed, and when the same was carried in writ appeals vide W.A.No.1746/1998 and batch, the same were also dismissed on the ground that the sale deeds executed by the owners were not valid. The Government took possession of part of land to rehabilitate the displaced persons under Nandanavanam rehabilitation project. So far as the land of the

petitioners is concerned, it was stated that they are in possession of the same. Though the project was completed, the land of the petitioners was not touched. They submitted a representation to the 1st respondent on 29.11.2003 seeking to regularise their possession but there was no response from the respondents.

The respondents have not filed any counter affidavit, but, on instructions, the Government Pleader submitted that as per the records, Sy.Nos.71 & 72 of Karmanghat village is a surplus land and it originally belonged to one Smt.Sulakshana Bai. Pursuant to the orders of the Land Reforms Tribunal, the Mandal Revenue Officer took possession of the said land and allotted the same to Housing Corporation for Weaker Section housing purpose. The petitioners are not concerned with the said land.

In view of the stand taken by the respondents, the respondents cannot be enjoined from interfering with the land claimed by the petitioners, if it forms part of the surplus land. If the petitioners have any right over the said land, they have to establish their right and title in a competent civil court or other proceedings.

The Writ Petition is accordingly dismissed. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed in consequence.

A.RAMALINGESWARA RAO,J

Date: 02.04.2015

Dsr