

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

PRESENT

THE HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT APPEAL No.856 OF 2015

DATED: 09.09.2015

Between:

K.Sugunamma and another

... Appellants

and

The State of Telangana and others

... Respondents

**THE HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
THE HON'BLE SRI JUSTICE S.V.BHATT**

WRIT APPEAL No.856 of 2015

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PC: (per the Hon'ble The Acting Chief Justice Dilip B. Bhosale)

This Writ Appeal is directed against the order, dated 20.07.2015 passed in Writ Petition No.18418 of 2015 dismissing the Writ Petition filed by the appellants.

In the Writ Petition, the appellants challenged the steps taken by respondents to cause demolition of their house and sought direction to consider their application for its regularization as per G.O.Ms.No.58, dated 30.12.2014. We have perused the impugned order. The learned Single Judge seems to have considered the contentions urged by the appellants in depth and dismissed the Writ Petition.

Sri B.Shiva Kumar, learned counsel for the appellants before this Court made only one submission that till the application seeking regularization made by the appellants is finally decided by the respondents as per G.O.Ms.No.58, dated 30.12.2014, their possession may be protected and/or the dwelling house shall not be demolished.

It appears that appellant No.2 was appointed as a

Watchman in 1984 to protect the land belonging to Jaya Raghavendra Cooperative House Building Society. The offending structure was made in 1986. It has come on record that it is in the land reserved as park. Keeping that in view, we are not inclined to interfere with the order passed by the learned Single Judge and/or even to grant protection to the appellants till their representation is decided by the authority concerned. The appellants do not have any right whatsoever over the offending structure. No case is made out, to interfere with the order passed by learned Single Judge.

Writ Appeal is dismissed. At the request of the learned counsel for the appellants, the appellants are given six weeks' time to vacate the offending structure and hand it over to the respondents concerned for its demolition.

Consequently, miscellaneous petitions, if any, also stand disposed of.

DILIP B. BHOSALE, ACJ

9th SEPTEMBER, 2015.

S.V. BHATT, J

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