

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

**FRIDAY, THE THIRTIETH DAY OF OCTOBER TWO
THOUSAND AND FIFTEEN**

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Present

HON'BLE SRI JUSTICE P.NAVEEN RAO

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WRIT PETITION No.35412 of 2015

Between:

Battini Gangaiah, S/o. Lakshman,
Hindu, Aged about 44 years,
Occ: Agricultural Coole, D.No.4-89,
Chitkul Gram Panchayat, Chitkul Village,
Patancheru Mandal, Medak District.

.. Petitioner

AND

The State of Telangana,
Rep. by its District Collector and Magistrate
Sangareddy Collectorate, Medak District,
Telangana State – 520 001 & 3 others

..
Respondents

WRIT PETITION No.35423 of 2015

Between:

Talari Krishna, S/o. Talari Narayana,
Hindu, Aged about 57 years,
Occ: Agricultural Coole, D.No.4-89/1,
Chitkul Gram Panchayat, Chitkul Village,
Patancheru Mandal, Medak District.

.. Petitioner

AND

The State of Telangana,
Rep. by its District Collector and Magistrate

Sangareddy Collectorate, Medak District,
Telangana State – 520 001 & 3 others

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Respondents

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WRIT PETITION No.35467 of 2015

Between:

Battini Muthilingam, S/o. B. Shankaraiah,
Hindu, Aged about 72 years,
Occ: Agricultural Coole, D.No.4-89/2,
Chitkul Gram Panchayat, Chitkul Village,
Patancheru Mandal, Medak District.

.. Petitioner

AND

The State of Telangana,
Rep. by its District Collector and Magistrate
Sangareddy Collectorate, Medak District,
Telangana State – 520 001 & 3 others

..
Respondents

WRIT PETITION No.35470 of 2015

Between:

Smt. Kuragayala Anasuya,
W/o. Baburao, Hindu,
Aged about 35 years,
Occ: Agricultural Coole, D.No.5-27/1/A,
Chitkul Gram Panchayat, Chitkul Village,
Patancheru Mandal, Medak District.

.. Petitioner

AND

The State of Telangana,
Rep. by its District Collector and Magistrate
Sangareddy Collectorate, Medak District,

Telangana State – 520 001 & 3 others

..
Respondents

AND

WRIT PETITION No.35516 of 2015

Between:

Shaik Fakir Pasha, S/o. MD. Abdul Sab,
Muslim, Aged about 45 years,
Occ: Agricultural Coole, D.No.5-27,
Chitkul Gram Panchayat, Chitkul Village,
Patancheru Mandal, Medak District.

.. Petitioner

AND

The State of Telangana,
Rep. by its District Collector and Magistrate
Sangareddy Collectorate, Medak District,
Telangana State – 502 001 & 3 others

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Respondents

The Court made the following:

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HON'BLE SRI JUSTICE P.NAVEEN RAO

**WRIT PETITION Nos.35412, 35423, 35467, 35470 &
35516 of 2015**

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COMMON ORDER:

The petitioners claim that they are poor persons and having regard to their backwardness, the then Sarpanch of the Chitkul Gram Panchayat allotted house sites to them in the year 1988 and in the house sites allotted to them, after obtaining due permissions they have undertaken construction of dwelling houses and they have been living in those houses. The petitioners have been paying the property tax and water tax. The electricity supply connections are also provided to the petitioners. While so, the petitioners were served with impugned notices, dated 05.10.2015, directing them to submit the documents in proof of grant of building permissions and the nature of title held by them on the properties they are in possession and enjoyment. The petitioners claim to have submitted reply in the form of legal notices to the Panchayat

Secretary, Chitkul Gram Panchayat, Patancheru Mandal, Medak District (3rd respondent) explaining their entitlement to continue in possession. While so, though no orders are passed on their explanation, the respondent authorities are threatening to demolish the dwelling houses and dispossess them and aggrieved thereby, these writ petitions are filed.

2. On instructions, learned Standing Counsel submits that after the notices, dated 05.10.2015, further notices are issued on 16.10.2015. As the petitioners refused to receive those notices, the notices are pasted on their house premises and the original copy of the notice is produced before the Court. The notice would disclose that having found that no evidence is produced in support of the contention that the building permissions are obtained, the notices direct the petitioners to submit explanations as to why the unauthorized constructions should not be demolished.

3. Learned counsel for the petitioners disputes service of the said notices.

4. Having regard to the contention of the learned counsel for the petitioners that the petitioners are being in possession and enjoyment and living in dwelling houses for more than 16 years, to give one more opportunity, the Writ Petitions are disposed of directing the petitioners to submit detailed explanations to the Panchayat Secretary, Chitkul Gram Panchayat, Patancheru Mandal, Medak District (3rd respondent) within a period of two (2) weeks from the date of receipt of copy of this order and also enclose all the relevant

documents in support of their claim of granting of building permissions and all other documents in support of their claim that they are in possession and the properties are validly assigned to them. On receipt of such explanations, the Panchayat Secretary shall consider the same and pass speaking orders, as warranted by law. Till the orders are passed, the respondents shall not take any coercive steps against the petitioners. If no explanation is filed within a period of two (2) weeks from the date of receipt of copy of this order, it is open to the Panchayat Secretary to take further course of action, as warranted by law. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO, J

Date: 30th October, 2015

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HON'BLE SRI JUSTICE P.NAVEEN RAO

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**WRIT PETITION Nos.35412, 35423, 35467, 35470 &
35516 of 2015**

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Date: 30th October, 2015

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