

THE HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

WRIT PETITION No.3803 of 2015

-

Between:

Subodaya Harijana Girijana Balahina Vargala
Samkshema Sangam
Rep. by its President N.M. Ramul

PETITIONER

AND

1. The State of Telangana, rep. by its Principal Secretary,
Panchayat Raj Department, Secretariat, Hyderabad and others.

RESPONDENTS

ORDER:

This writ petition is filed aggrieved by the action of the respondents in dismantling the houses of the members of the petitioner-society and threatening to ruin the colony, viz., Gandhi Nagar Weaker Section Colony situated in Sy.No.89,90 at Badangpet Village, Saroornagar Mandal, Ranga Reddy District, without following due process of law, as illegal and arbitrary.

The petitioner-society is formed for the welfare of Scheduled Castes, Scheduled Tribes, Backward class and Minority people. The Government of Andhra Pradesh granted pattas to the members of the petitioner-society in the Government land in Sy.Nos.89, 90 at Badangpet Village, Saroornagar Mandal, Ranga Reddy District. Accordingly the members of the petitioner-society constructed houses and the colony is named as Gandhi Nagar Weaker Section Colony and since then they are in possession and enjoyment of the same. The Government of A.P. in its official Gazette dated 30.12.1987 published about the allotment of land admeasuring Ac.33.60 gts to the members of the petitioner-society. The grievance of the members of the petitioner-society is that respondents 1 to 5 at the instance of respondents 6 to 8, trespassed into their colony with heavy machinery and high-handedly dismantled 15 houses without any or notice and without following due process of law. Hence the present writ petition.

Heard learned counsel for the petitioner, learned Government Pleader for Panchayat Raj for the 1st respondent, Government Pleader for Revenue for respondents 2 and 3, Sri D. Bhaskar Reddy, learned Standing Counsel for the 4th respondent and learned Government Pleader for Home for the 5th respondent.

When the matter is listed on 02.03.2015 learned counsel for the

petitioner took time for filing certain documents. Reliance placed by petitioner on notification dated 30.12.1987 does not show that any land is allotted to petitioner-society. The learned counsel has not filed any documents except passing a copy of the report No.MRI/spl./94, dated 18.01.1994 submitted by the Mandal Revenue Inspector, Saroornagar Mandal to the Mandal Revenue Officer, Saroornagar stating that he has handed over the possession of the land in Sy.No.89 and 90 of Badangpet village, Saroornagar Mandal and beneficiaries (1115) patta holders certificates to Subhodaya Harijana Girijana Backward and Weaker Section Association, on 18.04.1994 while conducting panchanama. The same is also not clear as to what is the extent allotted to each member of the society.

Admittedly, in the writ affidavit it is not mentioned as to who are the members/beneficiaries and as to what extent of land has been allotted. In spite of granting time to the learned counsel for the petitioner, neither better affidavit nor necessary documents are filed. In view of the same, I do not see any merit in the writ petition.

Accordingly the writ petition is dismissed. However, the petitioners are at liberty to file fresh writ petition along with necessary documents. There shall be no order as to costs. As a sequel, miscellaneous petitions, if any shall stand closed.

A. RAJASHEKER REDDY, J.

10th March, 2015
Js.