

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.30329 of 2011

ORDER:

The grievance of the petitioner was that the police authorities were trying to evict him from his premises bearing No.17-9-144/1/A, Kurmaguda, Saidabad, Hyderabad.

By interim order dated 23.11.2011, this Court took note of the statement made by the learned Government Pleader for Home, on instructions, that the petitioner and others had erected huts over Government land and observed that once such possession was admitted, the only way the possessors could be evicted would be in accordance with law, including the provisions of the Land Encroachment Act, 1905. This Court therefore left it open to the respondents to initiate appropriate proceedings for eviction of the petitioner in accordance with law and directed them not to dispossess him till then.

The Superintendent, Central Prison, Chenchalguda, Hyderabad, the 3rd respondent, filed a counter-affidavit dated 25.01.2012 wherein he referred to the aforestated interim order and conceded that he was not the competent authority to evict the petitioner from the subject premises. He further stated that he had never interfered with the peaceful possession and enjoyment of the petitioner.

In the light of the aforestated interim order and the stand taken by the police authorities, no further adjudication is called for in this writ petition.

The writ petition is therefore closed leaving it open to the State to initiate appropriate action, if it so chooses, for eviction of the petitioner from the subject premises in accordance with law.

Pending Miscellaneous Petitions shall also stand closed. No order as to costs.

SANJAY KUMAR, J

Date:02.07.2015

GJ