

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.26181 OF 2005

ORDER

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The case of the petitioner is that he is the owner and possessor of the land admeasuring 190 sq.yards in Sy.No.1400 of Koratla Village having purchased the same through registered sale deed dated 02.12.2003 from its original owner. Since the date of purchase, the petitioner was in possession and enjoyment of the said land and has been paying the property tax to the Municipal authority and the Municipal authority also issued tax receipts. While so, on 25.11.2005 and 28.11.2005 visited the petitioner's premises and threatened to demolish the compound wall constructed by the petitioner and tried to dispossess him. Aggrieved by the same, the present writ petition is filed.

Counter affidavit is filed by the 1st respondent stating that the writ petition is not maintainable due to non-joinder of proper party i.e., Sri Venkateshwara Swamy Temple, Korutla Mandal, Karimnagar District. It is stated that the petitioner under the guise of claiming ownership of land in Sy.No.1400 encroached upon the temple land to an extent of 36.23 sq.yards in Sy.No.1399/1 and when the same was brought to the notice of the District Collector, Karimnagar, he instructed the 2nd respondent vide letter dated 19.07.2005 to evict the petitioner. Accordingly, the 2nd respondent removed the illegal encroachments made by the petitioner and evicted him in accordance with law.

Learned counsel for the petitioner disputes about taking possession of 36.23 sq.yards in Sy.No.1399/1, belonging to the temple.

In view of the aforesaid submission, the writ petition is disposed of by recording the statement made in the counter affidavit. No costs.

As a sequel, miscellaneous petitions pending if any, shall stand closed.

A.RAJASHEKER REDDY,J

Date: 13.10.2015

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