

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

WRIT PETITION No.23852 of 2015

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Between:

Bandi Mattayya

...Petitioner

and

The State of Telangana and others

...Respondents

DATE OF JUDGMENT PRONOUNCED: 07.08.2015

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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1. Whether Reporters of Local newspapers
may be allowed to see the Judgments? Yes/No
2. Whether the copies of judgment
may be marked to Law Reporters/Journals? Yes/No
3. Whether Their Ladyship/Lordship wish to
see the fair copy of the Judgment? Yes/No

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.23852 of 2015

ORDER:

Petitioner claims that he was assigned Acs.3.05 guntas in Survey No.318 of Adavidevulapalli Village, Damaracherla Mandal, Nalgonda District. He claims to be in possession and enjoyment of the said land. The present Writ Petition is filed alleging that respondents 2 and 3 are trying to dispossess the petitioner without following due procedure. The petitioner states that he has patta certificate bearing No.C1/1538/93 issued in 1994.

Learned Government Pleader for Revenue has received instructions from respondent No.3 and it is stated therein that the land in Survey No.318 belongs to the Government and there is a dispute pending between the petitioner and his family members in O.S.No.162 of 2014 before the Court of Junior Civil Judge, Miryalguda and the injunction petition filed therein was already dismissed by the trial Court on 17.01.2015. It is also stated that the name of the petitioner is not found in the revenue records and the petitioner holding valid patta is denied. However, it is specifically stated that the respondents are not interfering with the possession of the petitioner over the land in question.

From the above, it is clear that there is no interference by respondent No.3 and the present Writ Petition is said to have been filed only on apprehension.

The Writ Petition is therefore disposed of giving liberty to respondent No.3 to take appropriate action against any person found in possession of the Government land by following due process of law,

namely, giving notice seeking explanation of the person concerned and passing appropriate orders thereafter.

Miscellaneous Petitions, if any pending in this Writ Petition shall stand closed. No order as to costs.

VILAS V.AFZULPURKAR, J

7th AUGUST, 2015.

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