

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH
(Special Original Jurisdiction)

MONDAY, THE FIRST DAY OF JUNE
TWO THOUSAND AND FIFTEEN

PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.13992 OF 2015

BETWEEN

M.Sarojamma and another

... PETITIONERS

AND

State of Andhra Pradesh, rep. by its Principal Secretary and others

...RESPONDENTS

The Court made the following:

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ORDER:

Heard.

2. Both the petitioners claim to have been assigned house site in an extent of Ac.0-02½ cents in survey No.72/2 of Pileru Village, Chittoor District. Petitioners also state that they have obtained permission and constructed the house as per resolution of the Gram Panchayat as early as in the year 2013 and they are enjoying the electricity and are in possession. While so, petitioners were given impugned notice dated 25.09.2014 by respondent No.3 calling upon them to submit objections, if any, to the proposed action for cancellation of house site pattas on the ground that petitioners are not eligible. Both the petitioners claim that they have given a detailed reply to the said show cause notice but so far no orders have been passed. Learned counsel for the petitioners state that similar notices were given to several other assignees who have also filed objections. The grievance of the petitioners in this writ petition is that though no orders adverse to them are passed, respondent authorities are physically interfering with the possession of the house constructed by them over the said land.

3. Since the petitioners have already filed objections and no final orders are passed by respondent No.3, pending consideration of the explanation of the petitioners, physical interference with petitioners' possession cannot be permitted. Hence, while giving liberty to respondent No.3 to pass appropriate orders with reference to the show cause notice and explanation, referred to above, respondent Nos.3 to 5 are also directed not to physically interfere with the house said to have been constructed by the petitioners on the said plot.

Writ petition is, accordingly, disposed of.

As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

June 1, 2015

Lmv

