

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

Writ Petition No.34216 of 2015

ORDER:

The petitioner is a registered society formed by the plot owners of the layout in Survey Nos.191, 195, 196 and 197 of Ameenpur Village, Sanga Reddy Taluk, Medak District. They stated that the layout was approved by erstwhile Ameenpur Village Panchayat.

It is also their case that the total extent of Ac.44.00 guntas in the above survey numbers was divided into house plots and was sold to several persons who are members of the petitioner society. Some of the members have constructed their houses also. Some plot owners are approaching the Hyderabad Metropolitan Development Authority, Hyderabad for regularization of the layout. While so, it appears that the respondents 2 to 4 through their officers tried to interfere with the said land on the ground that it comes within the Ameenpur Tank, the present writ petition is filed in those circumstances.

The petitioner states that the area covered by their plots in the master plan is a residential essential zone and the respondents are interfering without proper demarcation of the land on the ground that the said land comes within the Full Tank Level (FTL) area.

In view of the averments of petitioner society and in view of the absence of any notice to the members of the petitioner society, the writ petition is disposed of directing the respondents 2 to 4 to issue appropriate notice to them in case the respondents 2 to 4 come to a *prima facie* opinion that the plots of land held by the petitioner society come within the FTL area and the members of the society are not entitled to own land or construct any building, they shall issue an appropriate notice seeking explanation from the members of the petitioner society, give sufficient time for offering their explanation and take action only after passing appropriate orders after considering the explanation. Till the said procedure is followed, the respondents 2 to 4 shall not interfere with the land claimed by the members of the petitioner society.

The miscellaneous petitions pending, if any, in this writ petition shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

Date: 14.10.2015

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