

HONOURABLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.34818 of 2015

ORDER:

Petitioner states that she is the owner of house bearing Municipal No.16-11-16/L/5/1, plot No.5 admeasuring 300 square yards, situated in T.S.No.6, Block-A, Ward No.167 correlated to old Survey Nos.36 and 24, Teegalguda, Malakpet, Hyderabad. She further states that she has demolished the existing house and as soon as she is granted construction permission by the competent authority, she will take up construction. However, in the meanwhile, on 13.10.2015 and 17.10.2015, the third respondent-Tahsildar, Saidabad Mandal is said to have physically interfered and claimed the land as Government land and directed the petitioner not to enter into the same. The writ petition is filed alleging that no notice whatsoever was issued by the third respondent.

Evidently, the petitioner does not have any permission from the competent authority and hence, no construction shall be taken up by her in the absence of any such permission. At the same time, the third respondent seeks to claim the aforesaid land as Government land. It is open to the third respondent to issue notice to the petitioner, give her an opportunity to submit explanation and then pass appropriate orders. Till then, the third respondent shall not physically interfere with the petitioner's rights.

Writ petition is accordingly disposed of.

As a sequel, the miscellaneous petitions, if any, shall stand

closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

Dt:19.10.2015

Kdl/rkk