

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

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WRIT PETITION No.26259 of 2015

BETWEEN

Tummala Venkata Ramana.

... PETITIONER

AND

State of A.P., Rep. by its Secretary, Revenue Department, Secretariat,
Hyderabad and others.

...RESPONDENTS

DATE OF JUDGMENT PRONOUNCED: 26.08.2015

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? | No |
| 2. | Whether the copies of judgment may be
marked to Law Reporters/Journals? | No |
| 3. | Whether Their Ladyship/Lordship wish to
see the fair copy of the Judgment? | No |

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ORDER:

Petitioner herein claims that he is the owner of the house bearing No.1-498C on an extent of 166 sq. yards in Sy.No.905-B4 in Mudigubba Village & Mandal, Anantapur District. Petitioner claims that he purchased the said the house under registered document No.967/2006 dated 14.03.2006 and claims that he has already obtained sanction plan for construction from the Gram Panchayat on 26.05.2006 in BLR No.42/2006 and that the house construction is already completed and that he is residing in the said house for the last nine years. Alleging that respondents 3 and 4 are insisting the petitioner to vacate the said house without following due process of law, the present writ petition is filed.

2. Learned Government Pleader has received instructions, which dispute the patta and the possession certificate, as claimed by the petitioner and it is stated as per the information of the fourth respondent petitioner has encroached Ac.0.03 cents of Government land and has constructed a house with plinth area of 13X70 five years ago and he is stated to be paying house tax to the panchayat authorities. Learned Government Pleader also states that if any action is warranted to be taken against the petitioner, respondents 3 and 4 will follow due process of law and will not take any action without notice to the petitioner.

Recording the said statement, the writ petition is disposed of directing the respondents not to interfere with petitioner's house property. However, this will not preclude respondents 3 and 4 from issuing appropriate notice, in case, any action is warranted against the petitioner and they shall also give opportunity of filing explanation and then, pass a reasoned order. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

August 26, 2015

DSK