

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION NO.12027 of 2015

-

Between:

B. Sarojini

PETITIONER

AND

1. State of Telangana, rep. by its Principal Secretary, Revenue Department,
Secretariat, Hyderabad, and others.

RESPONDENTS

ORDER:

This writ petition is filed with a prayer to declare the action of the respondents in interfering with the peaceful possession and enjoyment of the petitioner's house bearing No.5-115/E in Sy.No.69/2 part in Venkatapuram Gram Panchayat, Khammam District, as illegal and arbitrary.

The grievance of the petitioner is that she is in possession and enjoyment of the house site by constructing a house bearing No.5-115/E in Sy.No.69/2 part in

Venkatapuram Gram Panchayath, and the petitioner was also paying tax to the Gram Panchayath. The said house site was registered by the Settlement Officer, Rajahmundry. Complaining that the respondent-authorities are trying to evict her forcibly without issuing any notice and without following the due procedure under law, she filed the present writ petition.

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Revenue (Telangana) for respondents.

It is not in dispute before this Court that the land in question is a Government land. The petitioner's claim is that she encroached the land in Sy.No.69/2 part, constructed a house and has been in possession and enjoyment of the said property for the last 10 years. It is also her case that the Gram Panchayat has given house number to the subject property as 5-115/E. Since the Gram Panchayat issued a demand notice to the petitioner for payment of tax, the petitioner approached this Court. Therefore, in the considered opinion of this Court, the petitioner shall not be evicted except by following the procedure under law.

Hence, the writ petition is disposed of directing the respondents to follow the due procedure prescribed under law for evicting the petitioner from the land in question. There shall be no order as to costs. As a sequel, miscellaneous petitions, if any, shall stand closed.

CHALLA KODANDA RAM, J.

23rd April, 2015

Js.