

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

W.P.No. 2930 of 2015

DATE: 20.02.2015

Between:

Manthena Srinivasa Swamy
and another

.. Petitioners

And

1. The District Collector
2. The Revenue Divisional Officer
3. The Mandal Revenue Officer
4. The State of Telanagana

.. Respondents

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ORDER:-

The petitioners assert that one Rajanna was the original owner of Ac.2.00 cents of land in Sy.No.170/53 situated in Mavala village and Mandal, Adilabad District and after his death, his son M. Lachanna succeeded to the property and since 1950 Rajanna and his son continuously enjoyed the property. Thereafter, in the year 2000, on the issuance of No Objection Certificate by the Mandal Revenue Officer, vide proceedings dated 10.11.2000, for alienation of the property, M.Lachanna converted the land into residential plot Nos. 1 to 36 and sold Plots bearing Nos.3, 4, 5, 8, 9, 10, 11, 12, 19 and 20 in Sy.No.170/53 to one Mirza Raheem Baig who further sold the plots to the 1st petitioner by virtue of a registered agreement of sale-cum-General Power of Attorney and delivered possession of those plots to him. Thereafter, the 1st petitioner sold Plot No.11 to the 2nd petitioner under a registered sale deed dated 17.02.2014 and Plot Nos.12, 19 and 20 to third parties, who after obtaining due permission from the Executive Officer, Grampanchayat, Mavala, started constructing houses therein. Now, the petitioners' main grievance is that the respondents, without issuing any notice and without following the due process of law, are interfering with their peaceful possession by way of restraining them from making further constructions in their respective plots and threatening them not to alienate remaining plots to third

parties. Hence, the present writ petition is filed seeking appropriate directions.

On 12.02.2015, when the matter was taken up for admission, the learned Government Pleader for Revenue sought time to get instructions, as such, the matter was adjourned to this day. Even today, when the matter is called, the learned Government Pleader submits that he has not received any instructions. Hence, this Court is not inclined to adjourn the matter any further, but deems it appropriate to dispose of the writ petition with the following directions:

“As long as the alleged right, title and interest obtained in favour of the petitioners are in force and the petitioners are in possession of the lands, the respondents shall not interfere with their peaceful possession by way of restraining them from making further constructions in their residential plots unless and until the authorities concerned, for any reason, cancel their right and title over the plots by following the due process of law.”

With the above direction, the writ petition is disposed of.

No order as to costs.

As a sequel to the disposal of the writ petition, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

CHALLA KODANDA RAM,

J

20.02.2015

bcj