

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 16081 OF 2012

ORDER:

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Heard learned counsel for the petitioner and learned Government Pleader for Revenue. With the consent of both the parties the present Writ Petition is disposed of at the admission stage itself.

The present Writ Petition came to be filed seeking to declare the action of the respondents in interfering with the peaceful possession and enjoyment of land admeasuring 140 square yards equivalent to 117.04 square meters bearing plot No.26/A situated in Survey No.42 of Ramanthapur Village, Uppal Mandal, Uppal Kalan Municipality, Rangareddy District, as illegal and arbitrary.

The averments in the affidavit filed in support of the Writ Petition would show that the petitioner claims himself to be the owner and possessor of a plot admeasuring 140 square yards equivalent to 117.04 square meters bearing plot No.26/A situated in Survey No.42 of Ramanthapur Village, Uppal Mandal, Uppal Kalan Municipality, Rangareddy District under registered sale deed dated 17.12.1993. Since then, the petitioner claims to be in possession and enjoyment of the same. The vendor of the petitioner by name Smt.Gangu Savitri purchased the same from its earlier owner under registered sale deed dated 10.04.1987. Subsequent to the said purchase, the property was mutated in the name of the petitioner and all the revenue records show the petitioner as the owner and possessor of the property. While things stood thus, respondent Nos.1 to 3 tried to dispossess the petitioner from the plot by removing fence laid around the plot. Challenging the action of the respondents, the present Writ Petition came to be filed.

On 30.05.2012, this Court, while issuing notice before admission, ordered *status quo* existing as on that day with regard to the nature and

possession of the land in question.

Though no counter affidavit is filed by the respondents, learned Government Pleader, on instructions, submits that plot No.26/A is covered under FTL area of Survey No.42 and the said plot is kept vacant on ground. It is further submitted that the petitioner is not doing any construction in the said plot and as such the question of interfering into the possession of petitioner does not arise.

Having regard to the instructions received from the learned Government Pleader, the Writ Petition is disposed of directing the respondents to follow due process of law if they intend to dispossess the petitioner from the property in question. No costs.

Consequently, the Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE C. PRAVEEN KUMAR

18.01.2016

vhb