

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.16904 of 2012

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ORDER:

This petition is filed for a writ of *Mandamus* declaring the action of the respondents in trying to evict the petitioners from the property bearing Plot Nos.80 & 81, Maruti Nagar Colony, Tarnaka, Secunderabad, forming part of proposed layout of Seshaiah Nagar Colony in Sy.No.123 at Errakunta of Lalaguda Village & Taluk, Marredpally Mandal, Hyderabad District, without issuing any notice and though the plots fall outside the FTL area as per the proceedings dated 16.06.2010, as illegal and arbitrary.

The case of the petitioners is that the 1st petitioner is in possession and enjoyment of Plot No.81 and the 2nd petitioner is possession and enjoyment of Plot No.80 of Maruti Nagar Colony, Tarnaka, Secunderabad. While so, the revenue authorities came on 05.06.2012 and threatened the petitioners to vacate from the possession on the ground that a part of the layout falls within the FTL area of Errakunta of Lalaguda Village, Marredpally Mandal, Hyderabad District. In fact, as per the demarcation proceedings dated 16.06.2010, the petitioners' plots are shown to be falling outside the FTL level. But the respondents without issuing any notice to the petitioners and following due process of law, straightaway trying to evict the petitioners. Hence, the petitioners filed the present writ petition.

Heard learned counsel for the petitioners who states that in similar circumstances this Court in WP.No.16177 of 2011, granted interim direction not to evict the petitioners therein.

Now, the learned Assistant Government Pleader for Revenue,

on instructions states that the respondent authorities will follow due procedure before evicting the petitioners and also states that the petitioners' plots fall under FTL area.

In view of the above, the writ petition is disposed of directing the respondents to follow due process of law before taking any action against the petitioners. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any pending, in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

23.02.2016
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