

**HON'BLE SRI JUSTICE CHALLA KODANDA RAM**

**W.P.No.20175 of 2016**

**ORDER**

**This writ petition is filed seeking to declare the action of respondent Nos. 2 to 5 in interfering with the peaceful possession and trying to demolish the residential house of the petitioner situated at Lingapur Village, Kamareddy Mandal, Nizamabad District as illegal and arbitrary.**

**The petitioner has purchased land to an extent of Ac.0.04 guntas in Sy.No.33/17 and Ac.0.04 guntas in Sy.No.33/18 situated at Lingapur Village, Kamareddy Mandal, Nizamabad District, from one Darni Malliah through registered sale deed. Since then, she is in possession and enjoyment of the same. Subsequently, the petitioner made an application to the Gram Panchayat seeking permission for construction of house and accordingly, the Gram Panchayat granted permission *vide* proceedings dated 22.3.2012. While so, under the guise of de-silting Vura Cheruvu under Mission Kakatiya Scheme, without issuing any notice or intimation, the respondents are proceeding to commence digging works through the petitioner's land. Hence, the writ petition.**

**This Court on 23.06.2016 granted limited stay.**

**Learned Government Pleader submits that the very plan, which was submitted by the petitioner, shows that there is a cheruvu to the south of the petitioner's land. He further submits that in the process of de-silting the tank, no interference would be made to the petitioner's constructions without notice and following the due process of law. In this connection, learned Government Pleader produced written instructions of the Deputy Executive Engineer, I & CADD, I.B Sub Division, Kamareddy, wherein it is stated as under:**

**“the house bearing No.4-25/A2 situated at Lingapur (V), Kamareddy (M) Nizamabad District is partly coming under FTL Zone and balance in buffer Zone. At present the work is in progress. The said house is not disturbed. Notices will be issued before initiating action.”**

**Considering the written instructions of the Deputy Executive Engineer and submissions made by the learned Government Pleader, the Writ Petition is disposed of. No costs.**

**Miscellaneous petitions, if any, pending in this writ petition shall stand closed.**

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**JUSTICE CHALLA KODANDA RAM**

**28<sup>th</sup> June, 2016**  
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