

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 5022 of 2012

Order:

This Writ Petition was filed challenging the action of the respondents 1 and 2 in trying to interfere with the peaceful possession and enjoyment of the petitioner's land admeasuring Ac.1-20 gts., in Survey No.588/1, situated at Uppal Khalsa village, Uppal Mandal, Ranga Reddy District by dumping the garbage in the said land without any notice.

Now, a counter affidavit is filed stating that the land of an extent of Ac.1.10 gts., falls in Government unassessed land and it is Nala bed land situated in between Survey No.588/1 of Uppal Khalsa village and Survey No.507/1 of Uppal Bhagath village, Uppal Mandal, Ranga Reddy District. The lands in Survey Nos.588/1 and 507/1 are patta lands. Uppal Nala is named as "fresh water channel" which is flowing from Ayacut across Musi River at Chadarghat to Nalla Cheruvu Uppal and meant for irrigating an Ayacut of Ac.2183.14 gts., and another channel as 'efficient channel' flowing from Amberpet to disposal and both run parallel and finally mingle with Nalla Cheruvu at Uppal. The said Nala is passing from borders of Uppal Bhagat and Uppal Khalsa villages in between Survey No.588/1 of Uppal Khalsa village and Survey No.507/1 of Uppal Bhagath village. The physical status of the land in Survey No.588/1 of Uppal Khalsa village is located adjacent to Musi canal to remove the sharp curve of Musi canal and for free flow of water the alignment was changed long back after acquisition of land in Survey No.588/1 of Uppal Khalsa village. After change of alignment the original Musi canal (Nala) the unassessed waste land (Nala bed land) of an extent of Ac.1.10 gts., was kept vacant. The

possession of the said land was handed over to Greater Hyderabad Municipal Corporation under a cover of panchanama on 09.05.2011. The petitioner being an adjacent pattadar is intending to grab the said land and hence the respondents 1 and 2 stopped the encroachments to protect the Nala land.

In view of the above averments, learned counsel for the petitioner sought permission of this Court to withdraw the Writ Petition with liberty to take appropriate civil proceedings, if any, in order to protect his land or for demarcation of the land.

In the circumstances, permission is accorded and, accordingly, the Writ Petition is dismissed as withdrawn granting liberty to the petitioner to take appropriate proceedings in accordance with law. There shall be no order as to costs. The Miscellaneous Petitions pending, if any, shall stand closed.



A. RAMALINGESWARA RAO, J

Date: 11.11.2016
Nsr