

**HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO**

**W.P.No.3636 of 2011**

**ORDER:**

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for respondent

Nos.1 to 4.

2. Petitioner was the President of Mandal Praja Parishad, Mahabubabad. An extent of Ac.20.05 gts of dry land in Sy. Nos.425/B, 426/B1, 427/A and 427/C at Shanigapuram Road, Mahabubabad village was purchased by the Mandal Development Officer, Mahabubabad, Warangal District for the purpose of setting up a Navodaya Residential School therein at the instance of Government of India. But subsequently Government of India changed the location of the school.

Out of the purchased land, the Mandal Development Officer allotted Ac.5.00 gts for construction of Sub-jail and also gave Ac.2.20 gts for formation of SRSP canal and received compensation.

3. Petitioner apprehends that the balance land purchased by the Mandal Development officer on behalf of the Mandal Praja Parishad, Mahabubabad, might be allotted by respondent Nos.3 and 4 to landless poor persons as house sites under the Indiramma Housing Scheme.

4. The 4<sup>th</sup> respondent has filed a counter affidavit. In para 4 thereof, it is specifically stated that the lands belonging to the petitioner were never selected for the purpose of assignment to landless poor under Indiramma Housing Scheme, that Government has land in Sy.No.551 which is being utilized for the said purpose, that the petitioner is in peaceful possession and enjoyment of the balance land available and any assignment proposal of the said land would be placed before the Mandal Assignment Review Committee, of which the petitioner is a member, he being President of Mandal Praja Paraishad, Mahabubabad. They stated categorically that no assignment can take place without the knowledge of the petitioner and that the land of the Mandal Praja Parishad is not being assigned to anyone.

5. In view of the above stand taken by respondent Nos.3 and 4, the Writ Petition is disposed of directing the respondent Nos.3 and 4 to obtain approval of the Mandal Praja Parishad or follow other procedure prescribed by law in case they wish to utilise the balance land in the above survey number at Shanigapuram Road, Mahabubabad village, Warangal District for assignment to landless poor persons.

6. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

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**JUSTICE M.S.RAMACHANDRA RAO**

Date: 02-06-2016

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