

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.45313 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking to declare the action of the 2nd respondent in trying to interfere with the peaceful possession and enjoyment of the petitioner's house property bearing H.No.1-3-118/1/1, situated at Ailapur Road, Korutla Mandal, Jagityal (Karimnagar) District, without authority of law and also without following due process of law claiming it as temple land, as illegal and arbitrary and consequently direct the 2nd respondent not to interfere with the petitioner's house property.

Heard and perused the material available on record.

The case of the petitioner is that the petitioner is a *bona fide* purchaser of the house property bearing H.No.1-3-118/1/1, situated at Ailapur Road, Korutla Mandal, Jagityal (Karimnagar) District, situated at Ailapur Road, Korutla Mandal, Jagityal (Karimnagar) District from one Siripuram Rajiv through registered Sale Deed bearing Document No.1303 of 2004, dated 05.07.2004, for a valuable sale consideration and since the date of purchase, the petitioner is in peaceful possession and enjoyment of the subject house property.

The main grievance of the petitioner is that the 2nd respondent, due to escalation of land prices in the area, is disturbing the petitioner stating that the subject land is a temple land and that the 2nd respondent may, at any time, evict the petitioner from the subject house property without there being any authority of law or notice to the petitioner.

Considering the grievance of the petitioner, the 2nd respondent is directed not to interfere with the petitioner's house property bearing H.No.1-3-118/1/1, situated at Ailapur Road, Korutla Mandao, Jagityal (Karimnagar) District, without following the due process of law.

Accordingly, the Writ Petition is disposed of. No costs. Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO, J

Date: 26th December, 2016

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