

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No. 34644 of 2016

ORDER:

Heard learned counsel for the petitioners and learned Government Pleader for Revenue.

2. With the consent of both the parties, the Writ Petition is disposed of at the admission stage.

3. The present Writ Petition came to be filed with the following prayer:

‘For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon’ble Court may be pleased to issue a Writ of Mandamus or any other appropriate writ or direction declaring the action of the respondents in constructing Telangana Sports School in the petitioners’ land situated in Survey No.76/B admeasuring Acs.12.06 guntas situated in Syngayapalli Village, Shameerpet Mandal, Ranga Reddy District without following due process of law and without considering the objections of the petitioners dated 08.09.2016 to the notice issued by respondent No.4 dated 15.08.2016 as illegal, arbitrary and violative of Article 300-A of the Constitution of India and pass such other or further orders as the Hon’ble Court feels deem fit and proper in the facts and circumstances of the case”.

4. Learned counsel for the petitioners mainly submits that though this Court in earlier occasion directed the authorities to

take action in accordance with law, by issuing notices to the petitioners and after giving an opportunity of being heard, the authorities have not taken any step and are trying to evict the petitioners without following due process of law.

5. Learned Government Pleader opposed the application contending that the land is already given to Sports School authorities. He further submits that pursuant to the public notice issued, objection petition was received from the petitioners and the same is yet to be disposed of. He also submits that only after disposal of the objection petition filed by the petitioners, the alienation of the said land in favour of the Telangana Sports School would be finalized.

6. It is to be noted that earlier this Court while disposing of W.P.No. 21707 of 1995, vide order dated 26.12.1995, gave the following direction:

“..the authorities are directed to take action in accordance with law after issuing notice to the petitioners and after affording them an opportunity of being heard. Until that time, the petitioners shall not be dispossessed, in case the petitioners are in possession. The Writ Petition is accordingly disposed of.”

7. In view of the order referred to above; having regard to the circumstances stated above and taking into consideration the rival statements made, the writ petition is disposed of directing the respondent-authorities not to dispossess the petitioners from the land in question, if they are in possession, till appropriate orders are passed on the objections raised by the petitioners to the public

notice given by the authorities. In any event, if an order is already passed, the authorities shall communicate a copy of the same to the petitioners.

8. Miscellaneous petitions, pending if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE C.PRAVEEN KUMAR

18.10.2016,
vnb

