

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.12490 of 2011

ORDER

The petitioners are members of Mataji Nagar Slum Welfare Association, who were allotted plots for their residential purpose as they are landless poor, but they could not construct houses due to financial problems and taking advantage of the same, under the guise of widening the road, with the influence of local leaders, the respondents are trying to interfere with their possession. Hence, the petitioners filed W.P.No.22793 of 2010 and the same was disposed of on 22.09.2010 based on the statement of the learned Standing Counsel for GHMC. When further interference with their property was made by the respondents, the present writ petition is filed.

This Court by order dated 27.4.2011 directed the respondents not to interfere with the petitioners' possession of the properties bearing Nos.1-10-287/1 admeasuring 40 square yards, 1-10-387 admeasuring 40 square yards and 1-10-387 admeasuring 80 square yards situated at Mataji Nagar, Begumpet, Hyderabad, without following due process of law.

Though WVMP No.12797 of 2011 is filed by the respondents, none appeared when the case is taken up for consideration today. It is stated in the counter-affidavit that there is a Government land adjacent to Musi Nala, Near Brahmanwadi, Begumpet and one

A.Satyanarayana encroached the said land without any right or title, sold the same as small plots admeasuring 40 to 80 square yards to some third parties under notarized documents of Release Agreements and the purchasers have constructed small houses in their respective plots without any permission from the GHMC. It became a colony viz., Mataji Nagar and at the instance of local MLA and the Corporator, the respondents laid underground drainage and CC roads in the said locality.

W.P.No.22793 of 2010 was disposed of on 22.09.2010 by recording the statement of the learned Standing Counsel for Greater Hyderabad Municipal Corporation that they are not interfering with the properties of the petitioners and the respondents never dispossessed the petitioners from their respective properties much less on 22.4.2011.

In spite of the same, the petitioners filed C.C.No.506 of 2011. The respondents have not assigned any house number to the petitioners as claimed by them. If the petitioners encroached the roads, the public movement will be closed and accordingly, they sought vacation of the order. It is not clear from the affidavit filed in support of the vacate stay petition whether the respondents wanted to take any action against the petitioners more so in view of the earlier order passed by this Court. However, in view of the interim order passed on 27.04.2011 and the stand taken by the respondents, this Writ petition is disposed of directing the

respondents not to interfere with the property in occupation of the petitioners except after following due process of law. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

1st November, 2016
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