

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

and

The Hon'ble Sri Justice G.Shyam Prasad

Writ Petition No.20392 of 2016

Date: 19.09.2016

Between:

Smt.S.Kanthamma

... Petitioner

and

The State of Telangana
rep. by its Prl.Secretary, Revenue (Land Matters)
Department, Secretariat, Hyderabad and 4 others

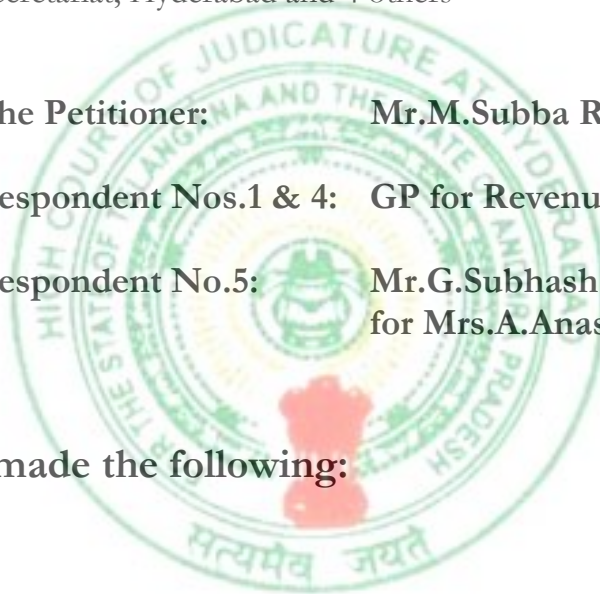
...Respondents

Counsel for the Petitioner: Mr.M.Subba Reddy

Counsel for respondent Nos.1 & 4: GP for Revenue

**Counsel for respondent No.5: Mr.G.Subhash
for Mrs.A.Anasuya**

The Court made the following:



Order: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

This Writ Petition is filed for the following substantive relief:

“to issue an appropriate writ order or direction more in the nature of WRIT OF MANDAMUS declaring the action of the 3rd and 4th respondents in trying to evict the petitioner from house No.10-1-98/2 (old No.1-98/2) existing in an extent of 150 sq.yads situated in Plot No.28 part of Sy.No.69&70 in Bhagyanagar Colony, Lingojiguda Village, Saroornagar Mandal, Ranga Reddy District when L.G.A.S.R.724/2014 is pending before the Special Court under A.P.Land Grabbing (Prohibition) Act at Hyderabad which is on transfer to the Hon'ble High Court, Hyderabad in terms of G.O.Ms.No.113 Revenue (Land Matters) Department, dated 01-06-2016 as illegal, arbitrary and contrary to the order in L.G.O.P.No.623/2001 on the file of the 1st Additional District Judge, R.R.District at L.B.Nagar, Hyderabad and consequently direct the respondents not to dispossess the petitioner from house No.10-1-98/2 (old No.1-98/2) existing in an extent of 150 sq.yads situated in Plot No.28 part of Sy.No.69&70 in Bhagyanagar Colony, Lingojiguda Village, Saroornagar Mandal, Ranga Reddy District during the pendency of L.G.A.S.R.No.724/2014.”

We have heard the learned Counsel for the petitioner and Mr.G.Subhash, learned Counsel representing Mrs.A.Anasuya, learned Counsel for respondent No.5.

The learned Counsel for the petitioner pleaded that during the pendency of LGOP.No.623 of 2001, his client has compromised with respondent No.5 by paying a sum of Rs.27,000/- and obtained receipt, dated 28-10-2002. He has further submitted that under the *bona fide* impression that respondent No.5 will not press the LGOP against his client, he has instructed his client not to represent the afore-mentioned fact before the Tribunal. He has further submitted that though the LGOP was dismissed *qua* the petitioner, since it was decreed against the petitioner's vendor-Smt.J.Santosam, who is respondent No.4 in the LGC, there is an imminent threat of dispossession.

The learned Counsel further submitted that though an Appeal bearing LGA(Sr) No.724 of 2014 was filed before the Special Court constituted under the A.P.Land Grabbing (Prohibition) Act, 1982, in view of abolition of the said Court, the appeal is under transfer to this Court. He has further submitted that in view of absence of a Forum for the present, to hear the interim application in the appeal, the petitioner's interests may be protected till such time as the appeal is registered before this Court.

In the light of the above facts and in order to protect the interests of the petitioner *pro tempore* till the appeal *viz.*, LGA(SR).No.724 of 2014 is properly registered and taken on file by this Court, we direct respondent Nos.2 to 5 not to dispossess the petitioner from the afore-mentioned property for a period of two months from today. Meanwhile, the petitioner shall be free to pursue LGA(SR).No.724 of 2014 and seek appropriate interim relief therein.

The Writ Petition is, accordingly, disposed of.

As a sequel to disposal of the Writ Petition, WPMP.No.25011 of 2016, filed by the petitioner for interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

(G.Shyam Prasad, J)

Dt: 19th September, 2016
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