

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 32745 OF 2015

29-02-2016

Between:

Telangana Madiga Hakkula Sangham, rep., by its President
Sri Arepalli Jitender, regd.No.1672/2002, Regd. Office: Gandhi Nagar,
Golkonda cross roads, Hyderabad- 20 and others

... Petitioners

And

The State of Telangana, rep., by its Principal Secretary, Home
Department, Telangana State Secretariat, Saifabad, Hyderabad and
others

... Respondents

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HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
HON'BLE SRI JUSTICE P. NAVEEN RAO

-
WRIT PETITION No. 32745 OF 2015

PC: (per the Hon'ble the Acting Chief Justice Dilip B. Bhosale)

The petitioners, in the instant writ petition, in the nature of public interest, seek the following relief:

“For the reasons stated in the accompanying affidavit the petitioners pray that this Hon'ble court may be pleased to issue a writ order or direction more particularly one in the nature of Writ of Mandamus directing the Respondents to take stern action against the construction of temples/religious structures in the government land/public places and to issue further direction to the Respondents take immediate action on the representation of the Petitioners dated 28.09.2015 forthwith and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

Sri C.V. Bhasker Reddy, learned Government Pleader has placed on record letter of the Tahsildar, Sultanabad, dated 28-10-2015 addressed to the Registrar (Judicial) of this Court clearly stating therein that the land in dispute is in custody of the Government and around the said land they have dug a trench and erected a board showing that the land belongs to Government and trespassers will be prosecuted. In view thereof, he submits that the apprehension expressed by the petitioners that construction of a temple is likely to come up in the government land is baseless and unfounded.

The relevant portion of the letter dated 28-10-2015 reads thus:

“Subsequently, one Sri Madavarapu Suman, S/o. Hanmanth Rao on behalf of M/s. Hirendra Builders,

Hyderabad, has submitted application dt: 06.11.2013 with a request for allotment of the land in Sy.No.791 an extent of 0.14 gts on lease basis. The land in Sy.No.791 an extent of 0.14 gts surrounded by the patta lands of M/s. Hirendra Builders, Hyderabad, and the land is in padawa. Accordingly the proposals were submitted to the RDO, Peddapalli on 15.04.2015 and the proposals are pending at RDO office, Peddapalli. In the meanwhile, the Petitioner No.1 has submitted a representation on 28.09.2015 complaining that, the Golla community people in the Village is trying to occupy the land in the guise of construction of temple and requested to stop the proposed construction and to protect the Government land.

The land is in the custody of Government and around the Govt. land dug a trench and erected a board showing the land belongs to Government and trespassers will be prosecuted.”

In the circumstances, the writ petition is disposed of with the observation that the Government shall take all precautions to prevent encroachment on the said land or construction of temple, as alleged.

Miscellaneous petitions, if any, also stand disposed of.

DILIP B. BHOSALE, ACJ

P. NAVEEN RAO, J

29-02-2016

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