

HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH

PRESENT

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

WRIT PETITION No.6652 OF 2012

DATED: 25.04.2016

Between:

T. Ravi Kumar

... Petitioner

and

The Commissioner of Endowments and others

... Respondents

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

WRIT PETITION No.6652 of 2012

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

Heard learned counsel for the parties.

The prayer in the Writ Petition is thus:

“For the reasons stated in the accompanying affidavit, it is 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 1 to 4 in demolishing the constructions of the Petitioner made in D.No.41-565, Kothapeta, Kurnool as illegal, arbitrary and contrary to the orders passed in W.P.No.10589 of 2009 dated 02.06.2009 and consequently direct the Respondents to pay compensation for illegal demolition and further direct the Respondents to restore the possession to the Petitioner herein in respect of land bearing D.No.41-565, Kothapeta, Kurnool 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.”

It is not in dispute that the petitioner's structure came to be demolished in 2009 itself, contrary to the order passed by this Court dated 02.06.2009 in Writ Petition No.10589 of 2009 and he seeks compensation for illegal demolition and direction to the respondents to restore petitioner's possession over the land in dispute.

Mr. O.Manohar Reddy, learned counsel for the

petitioner, submits that the petitioner would be satisfied if he is allowed to take appropriate remedy that may be available in law and if directions are issued to consider his application/petition on merits in accordance with law. Mr. J.U.M.V. Prasad, learned counsel for respondent No.5 submits that he has no objection for granting liberty to the petitioner as prayed.

In the circumstances, Writ Petition is disposed of by the following order:

“It is open to the petitioner to take appropriate remedy against the action of demolition of his structure in the land in dispute and for seeking appropriate relief including compensation and restoration of his possession, if he so desires and advised. If any such proceedings are filed by the petitioner, we hope and trust that the same shall be considered on merits in accordance with law and uninfluenced by the interim order, dated 02.06.2009 in Writ Petition No.10589 of 2009. We make it clear that we have disposed of this Writ Petition in view of the statement made by learned counsel for respondent No.5.”

Consequently, miscellaneous petitions, if any, also stand disposed of.

DILIP B. BHOSALE, ACJ

25th APRIL, 2016.

P. NAVEEN RAO, J

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