

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.43726 OF 2016

ORDER:

This petition is filed for a writ of *Mandamus* declaring the action of the 3rd respondent in trying to demolish the house of the petitioner bearing H.No.13/3 (Survey No.104/Ru) an extent of 84 Sq.Yards, situated at Durajpally Village, Chivemla Mandal, Suryapet District (Old Nalgonda District), Telangana State, without following due process of law, as illegal and arbitrary and for a consequential direction to the 3rd respondent not to demolish the aforesaid house of the petitioner, without ascertaining their right over the said property and without following due process of law.

Learned counsel for the petitioner submits that the petitioner purchased the subject land and constructed house after obtaining permission from the Gram Panchayat and that the respondent authorities without issuing any notice are trying to demolish the house of the petitioner.

Learned Assistant Government Pleader for Irrigation submits that there are encroachments on the river Moosi canal bed, as such action is being initiated. He further submits that after issuing notice to the petitioner and after conducting proper survey, demarcation will be done and thereafter, action will be initiated.

In view of the above, the writ petition is disposed of and the respondents are directed not to demolish the house of the petitioner without following due process i.e. after issuing notice and after demarcation is made. No order as to costs.

As a sequel thereto, miscellaneous applications, if any, pending, shall stand closed.

A.RAJASHEKER REDDY, J

15.12.2016
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