

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.39276 OF 2016

DATED : 15.11.2016

Between :

Narsing Bhan Singh S/o.Late Sri Laxman Singh,
Aged about 65 yrs, Occu : Sugar Cane Wholesale Business,
Opposite side of the road to Jhamsing Venkateshwara Temple,
Gudimalkapur, Asifnagar Mandal, Hyderabad.

.. Petitioner

And

The State of Telangana,
Rep., by its Principal Secretary,
Municipal Administration Department,
Secretariat, Hyderabad & others.

... Respondents



This court made the following :

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ORDER :

Petitioner claims that he has been occupying a piece of land which originally belong to a temple and eking out his livelihood for the last more than 40 years. The Municipal Corporation is now seeking to displace him from the said property without following the due process of law, and if the petitioner is thrown out of the property in issue, great prejudice would be caused to the petitioner.

2. The property in which petitioner claims to be carrying out his avocation, did not contain any details such as survey number, municipal number etc. The so called temple which is alleged to have granted permission to the petitioner is not made a party. No document is filed to show that lease or permission was granted to the petitioner by the temple management. No material is filed to show that the petitioner has been paying lease amount and that he is in valid occupation of the property which is sought to be removed. Petitioner only enclosed document issued by Controller, Legal Metrology, Hyderabad, which is with reference to quality of weighing machine and has nothing to do with the status of the property. Furthermore, it does not contain any details whether the alleged business is being carried out at the premises claimed by petitioner even according to the certificate issued by the Controller, Legal Metrology. Thus, the affidavit is bereft of essential details to set up the claim that petitioner is in occupation of the subject property for long time and without following the due process, the Municipal Corporation, or the Revenue authorities are trying to

throw him out. The petition is mis-conceived and is liable to be dismissed.

3. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

15th November, 2016
Rds

P.NAVEEN RAO,J

