

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 1241 of 2007

Order:

This Writ Petition was filed challenging the interference of the second respondent with the petitioner's possession over residential premises bearing No.3-4-149, admeasuring 675 sq. yards, situated at Lingampally, Hyderabad.

The petitioner states that when there was interference from the Endowments Department, he filed O.S.No.712 of 1989, under Section 84(2) of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987, to set aside the order of the Deputy Commissioner, Endowments Department dated 31.01.1989 before the II Senior Civil Judge, City Civil Court, Hyderabad. The trial Court in O.S.No.712 of 1989 vide judgment and decree dated 15.12.2000 decreed the suit with costs holding that the Endowments Department has no title over the schedule property and the plaintiff has perfected his title by adverse possession. Accordingly, the order in O.A.No.38 of 1986 dated 31.01.1989 passed by the Deputy Commissioner, Endowments Department was set aside. In the said suit, the Revenue Department is not a party, whereas in the present proceedings only the District Collector and the Mandal Revenue Officer are made parties.

In view of the decree passed by the trial Court, this Court is, *prima facie*, satisfied with regard to possession of the petitioner and in view of the same, the Writ Petition is allowed. If there is any claim for the Revenue Department as against the land possessed by the petitioner, it has to follow due process of law. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions pending in this
Writ Petition, if any, shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 03.07.2017
Nsr

