

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.18459 OF 2017

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India seeking the following relief:-

“to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondent No.2 in carrying illegal constructions in agricultural land of Acres 75-39 Guntas, in Survey No.118, 119, 120 and 121, situated at Kandlakoi Village, Medchal Mandal, Malkajgiri District (Ranga Reddy District) without any right and authority as illegal, arbitrary, against the principles of natural justice and in violation of Article 300A, consequently direct the 2nd respondent to refrain itself from carrying any constructions in the interest of justice.”

2. The main grievance of the petitioners is that though they are the absolute owners and possessors of the aforesaid property, respondent No.2, without having any right or authority, is proceeding with construction of a compound wall around the said property.

3. When the matter is taken up for hearing, learned Standing Counsel appearing for respondent No.2 submitted that there is no such construction as alleged by the petitioners and the compound wall is in existence from the year 2015 onwards and if any construction is made by respondent No.2 without permission, respondent No.1 will take action in accordance with law.

4. Recording the submission of the learned Standing Counsel, this Writ Petition is disposed of directing respondent No.2 not to carry on any constructions in the subject property without following the due process of law and if any illegal constructions are taken up by respondent No.2, respondent No.1 shall take action against respondent No.2 in accordance with law. There shall be no order as to costs.

5. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

Date: 13.07.2017
AMD

JUSTICE RAJA ELANGO



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