

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION Nos. 36551 of 2015

ORDER:

This writ petition is filed assailing the action of the 3rd and 4th respondents, at the instance of the 2nd respondent in demolishing the structures erecting on a piece of land admeasuring 537.88 sq.yds in Sy.No.916 of Chennuru Village, Chenuru Mandal, Adilabad District.

It is the case of the petitioner that he is absolute owner and possessor of piece of open house site to an extent of 447.77 sq.yds situated in Sy.No.916 of Chennuru Village, Chennuru Mandal, Adilabad District, having purchased the same from Mohammed Ejaj Ahmed, through registered sale deed No.3700/2014, dated 16.04.2014. That his name was also mutated in revenue records vide proceedings dated 09.01.2015. His name is also recorded in adangal/pahani and the 4th respondent also issued Form 1-B in his favour. The Gram Panchayat, Chennur also granted permission for construction of residential building on the subject plot on 17.06.2014 on payment of required fee. The said Gram Panchayat also issued House Ownership Certificate dated 29.04.2015 to enable him to obtain electricity connection. When he started construction of building, the Dy.Executive Engineer, Chennur, advised him to exclude 31.34 sq.yds of land from the said plot as it is shown in full tank area, he had left said place as advised. He had also obtained conversion of land use from agriculture to non-agriculture from the 3rd respondent. When he is proceeding with the permission after getting renewal from the Gram Panchayat, the 4th respondent asked

him to stop the construction on the allegation that he is raising construction on Shikham Land. Though he made representation on 28.10.2015 to the 2nd respondent, no action is being taken. The 3rd and 4th respondents physically came to the subject property along with men and machinery and started dismantling the structures erected by him, without assigning any reason and the entire construction raised had been razed to the ground. He had also lodged police complaint on 29.10.2015. Aggrieved by the action of the respondents, the present writ petition is filed.

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Revenue.

Learned Assistant Government Pleader for Revenue produced written instructions stating that no survey was conducted over the subject lands and that they are also not interfering with the possession of the petitioner.

Recording the submission of the learned Assistant Government Pleader for Revenue, this writ petition is disposed of directing the respondents not to interfere with the possession of the petitioner over the subject land, without following due process of law.

There shall be no order as to costs. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

14-02-2017

kvs

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.36551 OF 2015



Date: 14.02.2017

kvs

