

HON'BLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.14135 of 2005

ORDER:

Heard learned counsel for the petitioners as well as the respondents.

The present writ petition is filed by the petitioners declaring the action of the respondents in not deleting the strip of land admeasuring 195 feet width and 650 feet length in Sy.No.140/1 of Gurranguda Village, H/o. Nadargul Village, Saroornagar Mandal, Ranga Reddy District for continuance of the six temples situated therein from the consumption of the other part of the said land by the Civil Aviation Department, as illegal and arbitrary.

The 5th respondent, Air Ports Authority of India, filed counter affidavit along with a vacate stay application. During the course of hearing, looking into the conflicting reports submitted by the Mandal Revenue Officer and the Revenue Divisional Officer, on 21.09.2006, this Court passed the following order:

“Though interlocutory applications being WVMP.No.2507 of 2005 and WPMP.No.17950 of 2005, the matter is heard finally.

There is dispute as to the exact area and exact number of temples situated in part of the land comprised in survey No.140/1 in total admeasuring Acs.207.26 guntas alienated by the Government of Andhra Pradesh in favour of Air Ports Authority of India, Hyderabad. There are conflicting reports on record submitted by MRO and RDO. Therefore, this Court is of the considered opinion that the District Collector, Ranga Reddy District may personally inspect the land and submit a report as to the exact number of temples on the land as well as the land occupied by such temples. The report may be submitted by the District

Collector after personal verification within two weeks from today.

Post after two weeks.”

In pursuance of the above orders passed by this Court, the District Collector, Ranga Reddy District, submitted a report along with the sketch and photographs in this Court.

A perusal of the said report would indicate that in obedience to the orders, dated 21.09.2006, of this Court, the District Collector, Ranga Reddy, personally inspected the land on 11.10.2006 and at the time of inspection the religious structures found existing in Sy.No.140 of Gurramguda Village, H/o. Nadergul Village are identified and mentioned in a tabular form. The report discloses that all the six temples are existing in an area of 114 square yards. The sketch filed along with the said report also discloses existence of the said six temples on the southern side of the land. Further, a perusal of the counter affidavit filed on behalf of the 5th respondent would reveal that the 5th respondent left sufficient space for the said temples and construction of the compound wall is under completion. The said counter affidavit is filed on 06.09.2005.

During the course of hearing, it is also brought to the notice of this Court that leaving those six temples, fencing is already erected by the 5th respondent. However, though there is no evidence forthcoming before this Court in the form of either report or a photograph, this Court makes it clear that if the compound wall is not already constructed by this date,

the 5th respondent can take steps to complete the same for the worship of general public keeping in view the report submitted by the District Collector more particularly with regard to the six temples and the area occupied by them i.e., 114 square yards.

With the above observation, the writ petition is disposed of.

Miscellaneous petitions, if any, shall also stand disposed of.

Date: 10.11.2017.
ES

JUSTICE P. KESHAVA RAO

