

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.32094 OF 2017

DATED : 22.09.2017

Between :

Chiguru Ramulu, S/o.Mallaiah,
R/o.Peddagundavalli (V),
Dubbaka mandal, Siddipet District & others.

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Petitioners

And

The State of Telangana,
rep., by its Special Chief Secretary,
Revenue Department,
Telangana Secretariat buildings,
Hyderabad & others.

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Respondents



This court made the following :

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ORDER :

Heard.

2. Petitioners claim that they were assigned lands and pattas were also granted. The assignment documents along with the pattas granted to them are enclosed as material papers. It is the grievance of the petitioners that the lands which were assigned to them are now being utilized for the purpose of construction of 2 BHK houses, by displacing the petitioners, without following the due process. It is also contended that the construction material is being dumped affecting the area already under cultivation, causing lot of hardship and suffering to the petitioners.

3. Petitioners allege that representations were made to various revenue authorities including the District Collector, Siddipet, but no action is taken and on the contrary construction activity is being carried on, compelling the petitioners to approach this Court.

4. On instructions, learned Assistant Government Pleader, submits that land in Sy.No.728 of Pedagundavelly Village, Dubbaka Mandal, Siddipet District, has huge extent of land of more than Ac.452-00 belonging to the Government and assignments were made. He further submits, it cannot be said on mere assertion that the lands, which the petitioners are claiming as assigned to them, are being utilized for construction of 2 BHK houses.

5. Having regard to these submissions in order to protect the interest of the petitioners as well as not obstructing the construction of 2 BHK houses, *per se*, the following directions are issued :

(i) Petitioners shall appear before the Tahsildar, Dubbaka Mandal, Siddipet District, on 26.09.2017 at 12.00 p.m., along with all the relevant documents in support of their claim that the land which now sought to be utilized for construction of 2 BHK houses belongs to them.

(ii) The Tahsildar, shall verify the contention of the petitioners thoroughly, and if necessary, may also conduct field inspection in their presence and furnish suitable reply to the petitioners.

(iii) If the construction activity is going on in the lands originally assigned to the petitioners and such assignments were not already cancelled, no further construction shall be made unless the petitioners are provided alternative lands of equivalent extent which is also the land cultivable and/or provide them the exgratia/compensation to which they are entitled in case of utilisation of land for any public purpose.

6. Having regard to the fact that construction activity is already going on, and petitioners specifically allege dumping of construction material in the properties belonging to them, for a period of two (2) weeks, there shall not be any further construction and in the meantime the entire exercise shall be completed and suitable reply shall be furnished to them. It is also made clear that

if the petitioners do not appear before the Tahsildar, on 26.09.2017 before 12.00 p.m., it is open to the respondents to proceed further, in accordance with law and protection granted above shall not operate.

7. With the above directions, the Writ Petition is disposed of. There shall be no order as to costs.

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

P.NAVEEN RAO,J

22nd September 2017
Note : Issue c.c., tomorrow
B/o.
Rds

