

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No. 20013 OF 2017

ORDER:

1. This writ petition is filed by the petitioner seeking issuance of a writ of *mandamus* declaring the action of respondents 2 and 3 in trying to demolish the house property of the petitioner situated in Plot No.53 admeasuring 125 square yards in Survey No.336, Allwyn Colony, Kukatpally Village and Mandal, Medchal District, at the instance of respondents 6 to 11, as illegal and arbitrary. A consequential direction is also sought to the respondents not to interfere with his peaceful possession.

2. It is the case of the petitioner that he is the owner and possessor of the aforestated plot and that it was allotted to him by the Hyderabad Allwyn Employees Housing Committee (Phase-II), Allwyn Colony, as he was a member and former employee of the erstwhile Allwyn Company. A registered sale deed was also executed in his favour. Thereafter, he constructed a house therein. While so, the respondent authorities tried to interfere with his possession and demolish the structures, without following due process of law. Therefore, the association, on behalf of the members of it, approached the District Collector, Medchal District, as well as the authorities concerned explaining the illegal acts, but they have not taken any action. Hence, this writ petition.

3. Heard and perused the material available on record.

4. The main grievance of the petitioner is that the respondents are trying to interfere with the subject property without following the due process of law. Considering the circumstances of the case

and the grievance of the petitioner, without expressing any opinion on merits, this Court is inclined to pass the following order:

“The respondents are directed to follow the due process of law, if they intend to acquire the property of the petitioner.”

5. With the above direction, the Writ Petition is disposed of. No costs. Consequently, Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Date: 20.06.2017
va

