

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.12785 OF 2017

Date: 16.10.2017

Between :

Hyderabad Allwyn Employees Housing Committee (Phase-III),
Allwyn Colony, Phase-II, Kukatpally, Hyderabad, rep.by its
Secretary, Sri V.Bhaskar Reddy s/o. Papi Reddy, Aged about
57 years, R/o. A 430, Allwyn Colony, Kukatpally Mandal,
Medchal District.

.... Petitioner

And

The State of Telangana, rep.by its Principal Secretary,
Revenue Department, State Secretariat, Hyderabad and
others.

.... Respondents



This Court made the following :

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ORDER:

This writ petition is filed declaring action of respondents 2 and 3 in trying to dispossess the members of petitioner society and demolishing the structures, basements and compound walls in the land to an extent of Ac.3.18 guntas in Sy.No.336 (Sy.No.336/B) of Kukatpally village and mandal, Medchal district, is illegal and arbitrary.

2. This Court by order dated 24.04.2017 while issuing notice before admission, ordered stay of demolition, operative till 12.06.2017, directing the matter to be listed on the said date. Seeking extension of interim order granted, mention was made.

3. When matter is taken up for consideration, learned Assistant Government Pleader produced copy of notice dated 15.09.2017 calling upon petitioner to show-cause as to why excess land should not be resumed. A reading of the notice would go to show that they are in possession of Ac.2.19 guntas in excess as against Ac.79.29 guntas allotted to them.

4. Learned Government Pleader also produced the record, which contained explanation dated 03.10.2017 filed on behalf of petitioner.

5. The above noted facts would disclose that by the time writ petition was filed, no proceedings were initiated and the writ petition was premature.

6. Since action was already initiated by respondents on 15.09.2017 and petitioner society submitted their explanation on 03.10.2017, this

Court is not inclined to keep the writ petition pending. Writ petition is disposed of by passing following order:

- i) Since notice was issued on 15.09.2017 calling upon petitioner to submit explanation as to why excess land should not be recovered and petitioner has already submitted explanation on 03.10.2017, the Tahsildar, Kukatpally Mandal is directed to examine the explanation offered by petitioner to the notice dated 15.09.2017 and pass appropriate orders as warranted by law by assigning due reasons in support of its decision and communicate the same to petitioner.
- ii) Till a decision is made and communicated to petitioner, no coercive action shall be taken against petitioner.

Miscellaneous petitions if any pending in the contempt case shall stand closed. There shall be no order as to costs.

JUSTICE P.NAVEEN RAO

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