

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.3891 OF 2017

ORDER:

The case of the petitioner is that he is the owner of the property bearing H.No.2-50/40/1, admeasuring 600 square yards, in Survey No.91, situated at Gachibowli, Serilingampally, Rangareddy District having inherited the same by way of succession from his ancestors and is in peaceful possession and enjoyment of the said property and constructed a house there on. While so, on 28.01.2017, the 3rd respondent without issuing any notice, started demolishing the house of the petitioner claiming the said land to be Government land. Aggrieved by the same present writ petition is filed.

Learned counsel for the petitioner submits that the petitioner is entitled for notice and relied on the Judgment rendered by the Supreme Court in ***Government of Andhra Pradesh v. Thummala Krishna Rao and another***¹.

Learned Assistant Government Pleader for Revenue submits that no document is filed by the petitioner to show that he is the owner of the subject land and he is not in possession of the said land.

Admittedly, except residence certificate, petitioner has not filed any documents to show that he is the owner of the subject land. Even in the so called residence certificate what is the

¹ (1982) 2 Supreme Court Cases 134

extent is not stated. Though it is stated that petitioner inherited the subject property from ancestors, no record is produced. The Judgment relied on by the petitioner in **Thummala Krishna Rao case** is rendered in different context. Though this Court granted time on 06.02.2017 to the petitioner to produce the documents proving his ownership, the petitioner did not produce any documents; and that today, the learned counsel for the petitioner states that no other documents are found with the petitioner. In the absence of documents regarding title of the petitioner in respect of subject land, I do not see any reason to entertain this writ petition.

Accordingly, the writ petition is dismissed. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

10.02.2017
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A.RAJASHEKER REDDY, J