

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.44377 of 2017

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioners seeking verbatim the following relief:

“... to issue an appropriate Writ order, or direction more particularly in the nature of Writ of mandamus and declaring the action of the respondents 2 and 3 are highly illegal, arbitrary, contrary to law and clear violation of Articles 14, 21 Constitution of India and principles of natural Justice and consequently to direct the respondents 2 and 3 not to interfere with the peaceful possess and enjoyment of the petitioners Plot No.47 admeasuring Ac 200 Sq.Yards equivalent to 167.22 Sq.meters in Sy.Nos.71/2, 71/3 situated at Saheb Nagar Kalan Village, Hayathnagar Mandal, Ranga Reddy District and pass such other and further orders as or deemed fit and proper in the circumstances of case.”

At the hearing, learned counsel for the petitioners would submit that if a direction is given to the respondents not to interfere with the possession of the petitioners over their respective subject properties except by following the procedure established by law, the ends of justice would be met.

Learned Standing Counsel appearing for the 2nd respondent would submit that on mere apprehension and for no reason, the petitioners have approached this Court and therefore, the writ petition is not maintainable. He would also submit that even as per the record produced by the petitioners, the land in question is a 'Gayaran patta' land.

Having regard to the facts and submissions, the Writ Petition is disposed of directing the respondents not to interfere with the possession of the petitioners over the subject properties in their respective possessions except by following the procedure established by law. However, the petitioners shall not make any constructions in the subject property without obtaining necessary permissions from the authority concerned.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

26.12.2017
Vjl



M.SEETHARAMA MURTI, J