

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.3797 of 2018

ORDER:

It is the case of the petitioner that the petitioner's grandfather and his brother jointly purchased the land of an extent of 439 square yards and 462 square yards in Survey No.4 situated at Sitaram Nagar, Musheerabad, Hyderabad (new Survey No.T.S.No.5/1/Part, Block-D, Ward-155) from M/s.Ravi Cooperative Housing Society earmarked as Plot Nos.1 and 2 under registered sale deeds dated 10.09.1974. Both of them executed gift deeds in favour of the petitioner's mother and the same were registered on 09.03.1989. Her name was mutated in the municipal records. She died on 02.11.2015 and the petitioner claims to be her legal heir. When the mother of the petitioner wanted to make construction, an objection was made stating that the land comes under the notified area under the Andhra Pradesh (Andhra Area) Slum Improvement (Acquisition of Land) Act, 1956, and the notification was published in the A.P.Gazette dated 18.04.1985 and 29.01.1987. The same was challenged in W.P.Nos.24783 of 1998 and 4550 of 2005. This Court allowed the said Writ Petitions by a common order, dated 03.12.2008, and the notification was set aside. When the third parties tried to interfere with the said land, the petitioner's mother filed O.S.No.1771 of 1998 before the learned VII Junior Civil Judge, City Civil Court, Hyderabad, and a decree for perpetual injunction was granted. The third respondent issued a notification on 23.12.2017 inviting objections in respect of the

land of an extent of 356.40 square yards in T.S.No.5/1/Part, Block-D, Ward-155 of Zamistanpur Village, Musheerabad Tahsil, as it was proposed for alienation in favour of Women, Child, Disabled and Senior Citizens (Schemes) Department for construction of Anganwadi Centres. The petitioner states that the said land forms part of the land already purchased by his ancestors. Accordingly, the petitioner submitted an objection on 10.01.2018. Now the petitioner alleges that in spite of the said objection, there is a threat of interference with the land possessed by the petitioner. Hence, he filed the present Writ Petition.

In view of the above facts, this Court is inclined to dispose of the present Writ Petition, as it is filed on a mere apprehension.

The Writ Petition is, accordingly, disposed of directing the third respondent to verify the record in the light of the above facts and pass appropriate orders in accordance with law, within a period of two months from the date of receipt of a copy of this order. Till such time, there shall not be any interference with the land of the petitioner. The miscellaneous petitions pending in this Writ Petition, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

07.02.2018
vs