

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.8097 OF 2018

Date: 19.03.2018

Between:

Sri P.Yadi Reddy s/o. P.Malla Reddy, Aged about 52 years,
Occu: Business, R/o. H.No.8-5-213/12, Flat No.103,
Sai Krishna Colony, Old Bowenpally, Hyderabad and
another.

.....Petitioners

and

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

.....Respondents



The Court made the following:

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ORDER:

On 05.03.2018, orders were passed in pursuant to the notice under Section 7 of A.P.Land Encroachment Act, 1905, holding that petitioner has encroached into the Government land and directed to be evicted. Section 6 notice was also issued on the same day. Aggrieved by the orders, petitioners preferred appeal before the Revenue Divisional Officer. This writ petition is filed stating that they have availed remedy of appeal and even before appeal is decided, respondents are taking steps to demolish the building constructed by petitioners and dispossessing them from the subject properties.

2. This Court by order dated 14.03.2018, while directing listing of Writ Petition No.38675 of 2017 along with this writ petition, directed the 4th respondent not to interfere with the property.

2. When the matter is taken up for consideration, learned Government Pleader stated that possession was already taken, whereas learned counsel for petitioner disputes the same. Learned Government Pleader fairly submits that Government is not taking steps to demolish existing building as it is useful for public purpose. Demolition was done much earlier by digging holes into unauthorized constructions made in 5th floor. Court is not entering into rival claims on this aspect.

3. The appellate authority is directed to pass orders on the appeal preferred by petitioners after affording due opportunity, as

expeditiously as possible, preferably within a period of eight weeks.
The interim order granted on 14.03.2018 shall be operative till the disposal of the appeal preferred by the petitioners.

3. Writ petition is accordingly disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE P.NAVEEN RAO

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