

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.8202 of 2018

ORDER:

The petitioners claim to be the owners and possessors of an extent of Acs.8.00 of land in Survey Nos.883 (old 1364), 885 (old 1365), 886 (old 1366), 888 (old 163) and 890 (old 1371) situated at Khila Warangal Village and Mandal, Warangal District. They state that abutting their land there is a Government land of an extent of Ac.1.05 guntas in Survey No.887 (old 1367) and the said land is surrounded by the land of the petitioners. There is no way to the said land. Some persons tried to occupy the Government land and erected the huts. In order to have access to their land, it is alleged by the petitioners, that the compound wall of the petitioners' land was demolished partly. It is further stated that the encroachers applied to the Government for regularization and the same was rejected as the encroachment was objectionable. The petitioners state that the second respondent addressed a letter on 13.09.2017 to the third respondent instructing to evict the illegal encroachers by following due process of law. The said action is pending consideration. Respondent Nos.5 and 6 are also trying to lay water pipelines and electrical poles in order to help the said encroachers. In those circumstances, the present Writ Petition is filed seeking a direction to evict the encroachers from the land in Survey No.887 (new) situated at Khila Warangal Village and Mandal, Warangal District.

If the compound wall of the land of the petitioners is demolished by the third parties, it is for the petitioners to protect their property. Learned Counsel appearing for the sixth respondent submits that no new electrical poles are being erected in the site of the petitioners and the old electrical lines were already existing in the land owned by the petitioners. If the fifth respondent is laying any pipelines by utilizing the land, it is for the petitioners to protest and file objections for following due process of law. But, no relief can be granted in the present Writ Petition to direct the respondents to evict the encroachers of Government land with which the petitioners are not concerned.

The Writ Petition is, accordingly, dismissed subject to the above observations. The miscellaneous petitions pending in this Writ Petition, if any, shall stand closed. There shall be no order as to costs.

14.03.2018
vs

(A.RAMALINGESWARA RAO, J)