

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.8375 of 2018

Date : 2.4.2018

Between:

K Narasimha Rao S/o K Nancharaiah
54 years
R/o Hanuman Basthi
Kothagudem town
Bhadradri-Kothagudem district and others

Petitioners

And

The State of Telangana
Rep by its Principal Secretary,
Revenue Department,
Telangana secretariat, Hyderabad and others

Respondents

The Court made the following:



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ORAL ORDER:

Heard learned counsel for petitioners Sri K Narasimha Rao and learned Government Pleader for Revenue and with their consent the writ petition is taken up for disposal at the stage of admission.

2. Petitioners claim to own land admeasuring Ac.2.00 in Survey No. 410, Palvanha municipality. Petitioners allege that under the guise of construction of two bed room houses for weaker sections in Survey No. 444 which is adjacent to their survey number, respondents are trying to dispossess them and undertaking construction in their land. Petitioners claim that land in survey no.410 is private patta land and title validly vests in them and therefore no action can be taken to dispossess them without following due process.

3. Learned Government Pleader produced copy of the instructions furnished by Tahsildar dated 16.3.2018. According to said instructions, Government has land to an extent of Ac.5.00 in Survey No. 444 and same is identified for construction of two bed room houses. The Mandal Surveyor, Paloncha in the presence of Village Revenue Officer, Cluster-III, Paloncha and Mandal Giradawar-I, Paloncha demarcated land bounded on East- municipality CC road, on West—remaining Government land in Survey No. 444, on North—by Old Railway track and on South—by MPPS School building. Thus, said land is not even bounded by survey number claimed by the petitioners. That survey number 410 is far away from survey number 444 and proposed land is no-way concerned with the petitioners' land. It is further stated that proposed land is vacant land free from encroachments and not under cultivation by anybody. The Tahsildar states that land in Survey number 410 to an extent of Ac.5.01 is patta land and patta stands in the name of Smt Terala

Annapurnamma. Therefore, the allegation that the Revenue authorities are interfering is denied.

4. Having regard to the categorical assertion of Tahsildar in letter dated 16.3.2018 addressed to the learned Government Pleader, it cannot be said that respondents are interfering with the possession and enjoyment of land claimed by the petitioners as their own in survey number 410 and only on apprehension the present writ petition is filed.

5. The writ petition fails and accordingly dismissed. Pending miscellaneous petitions are closed.

DATE: 2-04-2018
TVK

P NAVEEN RAO,J



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