

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.6505 of 2015

ORDER:

In this Writ Petition, petitioner alleges that she is the owner and possessor of open land admeasuring 300 sq.yards in Survey Nos.450, 459, 460, 557/B, 558/A, 559/A, 565/A, 558/A and 559/A of KGR Enclave, situated at Ameenpur Village, Patancheru Mandal, Medak District, at Sangareddy. Her grievance is that the respondent authorities encroached into her land, which was in fact, regularized by the Hyderabad Metropolitan Development Authority vide proceedings No.721, dated 23.02.2010.

Respondent No.3 – Tahsildar, Patancheru Mandal, Medak District, filed a detailed counter-affidavit stating that on a requisition submitted by the Assistant Divisional Engineer, Operations, TSPDCL, Patancheru, Medak District, land to an extent of Ac.1.00 guntas in Survey No.462 situated at Ameenpur Village came to be allotted in favour of TSPDCL for construction of 33/11 K.V. Sub-Station and that as a matter of fact, after getting the land surveyed by the Surveyor, the said land was

handed over to TSPDCL on 10.11.2014 under a cover of panchanama.

Learned counsel for the petitioner contends that no notice was given to the petitioner before conducting survey and allotting the said land in favour of TSPDCL.

Learned Government Pleader for Revenue submits that a detailed survey was conducted with respect to the claim of the petitioner and the survey report reveals that the land of the petitioner is adjacent to the land of the Government.

It is to be noted that admittedly, there is a Sub-Station existing on the land allotted to TSPDCL.

Having considered the respective submissions and having perused the material on record, including respective survey maps and a copy of the layout, it is not possible for this Court to come to the conclusion whether the Government has encroached into the land of the petitioner or not as the same can only be determined in appropriate civil proceedings.

In those circumstances, granting liberty to the petitioner to avail the remedies as available to her in law with respect to the

alleged encroachment of the respondents, this Writ Petition is closed.

Miscellaneous Petitions, if any pending, shall stand closed.

There shall be no order as to costs.

CHALLA KODANDA RAM, J

31st JULY, 2018.

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