

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.12103 OF 2018

Dated:11.04.2018

Between:

M/s. Keerthi Homes and Infra Projects
Private Limited, rep., by its General
Power of Attorney Holder, G.V. Venugopal,
S/o. Late G.N. Venkataiah, aged 48 years,
R/o.1-5-6/18, Sri Krishna Colony, Behind
ai Raja Cinema, Musheerabad, Hyderabad .. Petitioner

And

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



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.12103 OF 2018****ORDER:**

Heard learned senior counsel for the petitioner and learned Government Pleader for Revenue appearing for the respondents.

2. According to petitioner, land admeasuring 1100 sq. yards in Plot No.60/A in Survey No.41/11 of Khanamet Village, Serilingampally Mandal, Ranga Reddy District, belongs to one Nookala Mallaiah. Petitioner purchased the said property from one Nookala Krishna, son of Nookala Mallaiah, by way of registered sale deed, dated 08.01.1992. He obtained building permission to construct residential building of stilt + five upper floors. While undertaking the said construction, the revenue authorities are interfering and preventing the petitioner from carrying out the construction work in accordance with the building permission granted to him.

3. Learned senior counsel for the petitioner submits that the land purchased by the petitioner is a private patta land and erroneously the respondent authorities are treating it as Government assigned land and on that premise, they are obstructing the construction activity.

4. Material on record would disclose that on 29.01.2018, the Tahsildar, Serilingampally Mandal, issued notice under Section 7 of the Andhra Pradesh Land Encroachment Act, 1905 (for short, 'the Act') holding that the petitioner is in illegal occupation of Government assigned land to an extent of 1100 sq. yards in

Plot No.60/A. Responding to the said notice, petitioner claimed to have submitted his explanation on 08.02.2018.

5. Learned senior counsel for the petitioner now alleges that no action is taken on the explanation submitted by the petitioner and on the contrary, construction activity is stopped. He therefore seeks direction to permit the petitioner to undertake construction activity pending finalization of the proceedings under the Act.

6. Having regard to the fact that notice issued on 29.01.2018 and explanation submitted by the petitioner on 08.02.2018, the Court is not inclined to grant the direction, as sought for by the petitioner, at this stage. However, to protect the interests of petitioner as well as the official respondents, the Tahsildar, Serilingampally Mandal, Ranga Reddy District, is directed to pass appropriate order as warranted by law pursuant to the notice, dated 29.01.2018, issued under Section 7 of the Act duly taking note of the explanation offered by the petitioner and such decision shall be taken by way of a reasoned order and communicate the said decision to the petitioner within a period of three weeks from the date of receipt of copy of this order.

7. With the above directions, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous Petitions, if any, filed in this Writ Petition shall stand closed.

P. NAVEEN RAO, J

Date:11.04.2018

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