

THE HON'BLE SRI JUSTICE S.V.BHATT

W.P. No.20991 of 2006

ORDER:

Heard the counsel appearing for the parties.

This writ petition is filed for the following relief:

“.....writ of mandamus declaring the action of the respondents in proceeding with the construction of a school building in the lands belonging to petitioner in Sy.Nos.442 & 443 of Ursu Village, Warangal District, without initiating any legal proceedings, as bad, illegal, arbitrary and in violation of Article 300-A of Constitution of India and consequently direct the respondents not to proceed with the construction activities in the land belonging to the petitioner other than due process of law.....”

Counter affidavit is filed by the 5th respondent and the operative portion reads thus:

“In reply to facts mention in para No.7 & 8 it is submitted that after knowing DEPEP School building construction work is started in patta land in Sy.No.443 of Ursu Village, the said construction work was stopped and not proceeded further. The School Managing Committee without taking the assistance of Revenue authorities for identification of Govt. land in Sy.No.415 of Ursu (V), they straight away started construction in petitioner's patta land in Sy.No.443 of Ursu (V) treating it as Govt. land in Sy.No.415 of Ursu (V). This was occurred only due to miss identification of Government land by the School Managing Committee, but not otherwise. Further, to submit that the said construction work not proceeded further, and the petitioner's land is no more required by the Government for construction of School building.”

By placing on record, the stand taken in the counter affidavit, writ petition is disposed of. However, the respondents shall not interfere with the possession and enjoyment of petitioner of subject matter of writ petition except in accordance with law. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

S. V. BHATT, J

Dt: 14.03.2018
dv

