

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.15384 OF 2018

DATED : 27.04.2018

Between :

Asat Pushpa Kumar Soni S/o.Sundarlal Soni,
Aged 66 yrs, Occu : Housewife,
R/o.7-2-113, Medarbasthi,
Kothagudem & others

Petitioners

And

The State of Telangana,
Rep., by its Principal Secretary (Revenue),
Secretariat, Hyderabad & others.

Respondents



This court made the following :

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ORDER :

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

2. Petitioners claim that they own 1878 Square yards bearing H.No.5-2-13, Paloncha Village, Bhadrachalam District. Petitioners contend that by way of registered sale deed this property was purchased during the years 1985-1991 and since then they are in possession and enjoyment of the said property. While so, though the subject property is a private property and title was validly passed on to them, the respondents 3 and 4 are trying to interfere and dispossess the petitioners from the said property. Alleging so, this writ petition is filed.

3. It appears, so far no notice is served on the petitioners claiming that the land belongs to Government or there was illegal possession of an assigned land. Petitioners assert that it is a private patta land. If that is so, it cannot be expected that the respondent authorities would summarily throw away the petitioners from their land unless, such land is required for public purpose and by following the due procedure as required by Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short 'the Act, 2013') or by way of negotiations. That being so, the claim made in the writ petition is pre-mature and is pre-emptive litigation.

4. Accordingly, the Writ Petition is dismissed, leaving it open to the petitioners to work out their remedies, as available in law, as and when the authorities dispossess them, without following the due process of law. There shall be no order as to costs.

Miscellaneous petitions pending, if any, in this writ petition shall stand closed.

27th April, 2018
Rds

P.NAVEEN RAO,J

