

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

WRIT PETITION NO.1097 OF 2016

ORDER:

This petition is filed under Article 226 of the Constitution of India, to declare the action of the 5th respondent in threatening to dispossess the petitioners from their lawful possession in respect of their houses situated in Sy No 156 of Gangasani Tirumal Reddy Nagar Shyampet village Hanmakonda Mandal Warangal District without any authority or jurisdiction at the behest of some vested interested persons as being illegal arbitrary unjust unconstitutional and violative of Article 21 and 300-A of the Constitution of India and consequently direct the Respondent Nos 2 to 4 herein to prevent the 5th respondent from interfering with the possession and enjoyment of the petitioners in any manner

In similar set of circumstances, this Court passed an order in W.P.No.1589 of 2016 dated 16.04.2016, the operative portion of which reads as follows:

“In view of the pendency of the applications for regularization of their occupation of less than 100 sq.yds, dispossession of these petitioners by issuing notice dated 11.09.2016 is illegal and they are liable to be set-aside. Hence, the notice dated 11.09.2016 is hereby set-aside and the respondents are directed not to dispossess the petitioners till finalization of their applications for regularization of unauthorized occupation in terms of G.O.Ms.No.58 dated 31.01.2015. If, for any reason, any of these petitioners are found ineligible in terms of G.O.Ms.No.58 dated 31.01.2015, the respondents are at liberty to take appropriate action, after following due process of law.”

Let there be a similar order even in this case.

In the result, writ petition is disposed of.

Consequently, miscellaneous applications pending if any, shall also stand closed. No costs.

JUSTICE M. SATYANARAYANA MURTHY

Date:23.04.2018

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