

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.30866 of 2018

ORDER:

- 1) Heard learned counsel for the petitioner and Government Pleader for Revenue (TG). With the consent of both the parties, the writ petition is taken up for disposal at the admission stage itself.
- 2) The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of the third respondent in interfering with the possession of the petitioner over the schedule property ie., land admeasuring 86 square yards situated in Sy.No.403, T.S.No.1, Block-F, Ward No.9 of Gyani Zail Singh Nagar situated at Shaikpet Village and Mandal, Hyderabad, as illegal and arbitrary.
- 3) The averments in the affidavit filed in support of the writ petition would show that the petitioner is in possession of the subject property and the petitioner availed regularization under G.O.Ms.No.58. Accordingly, the respondents 2 and 3 regularised the schedule property in the name of the petitioner vide File No.E/ 07/ 2999/ 2015 dated 27.05.2015. While things stood thus, the third respondent visited the schedule property and tried to dispossess the petitioner from the schedule property. Challenging the same, the present Writ Petition came to be filed.

4) The Government Pleader for Revenue (TG) would submit that the assignment was issued in favour of the petitioner was regularized to an extent of 86 square yards only, but when the authorities went to the site of the petitioner, they noticed encroachment on to the road margin. The same is disputed by the learned counsel for the petitioner.

5) Without going into the merits of the case and having regard to the fact that the land was regularized in favour of the petitioner to certain extent, the respondents shall not interfere with the property to the extent regularized in favour of the petitioner, however if any encroachments are made by the petitioner, the same shall be removed by the authorities in accordance with law.

6) With the above direction, the Writ Petition is disposed of at the admission stage.

7) Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE C. PRAVEEN KUMAR

29.08.2018

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