

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.2944 of 2019

ORDER:

The prayer of the petitioner in this case reads as under:

'For the reasons stated in the accompanying affidavit, it is prayed that this Hon'ble Court may be pleased to declare the high handed action of the respondents more particularly 3rd respondent in locking, sealing and forcibly evicting the petitioner and his family members in a barbaric and unlawful manner from House bearing No.1-6-44/58 consisting of Ground plus 2 upper floors constructed on Plot bearing No.58 Part admeasuring 120 sq.yards in Sy.No.48/Part situated at Muthyamreddy Nagar, Damaiguda Village, Alwal Mandal, Medchal Malkajgiri District and pass such other or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.'

It is however admitted by Sri N.Manohar, learned counsel for the petitioner, that proceedings dated 08.12.2017 were issued by the Tahsildar, Alwal Mandal, Medchal-Malkajgiri District, in exercise of power under Section 6 of the Telangana Land Encroachment Act, 1905, and no appeal has been filed against the same under Section 10 thereof. Learned counsel would further concede that as on date the said order is in force.

That being so, this Court cannot hold the action of the revenue authorities in evicting the petitioner and his family members from the subject premises pursuant to the aforestated proceedings dated 08.12.2017 to be illegal.

The writ petition is accordingly dismissed leaving it open to the petitioner to take appropriate measures in relation to the aforestated proceedings dated 08.12.2017 before the competent forum.

Pending miscellaneous petitions, if any, shall also stand dismissed.

No order as to costs.

JUSTICE SANJAY KUMAR

Date:14.02.2019

Note: Furnish C.C. by 15.02.2019.

(B/o)GJ