

HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION Nos.10652 and 10684 of 2019

COMMON ORDER:

The grievance of the petitioners in these two cases is that the revenue authorities are interfering with their possession over their plots in Survey Nos.25/1 and 25/2 of Pet Basheerabad Village, Qutbullapur Mandal, Ranga Reddy District, without passing any orders pursuant to the notices issued under Section 7 of the Telangana Land Encroachment Act, 1905 (for brevity 'the Act of 1905'). The petitioners claim that they submitted their explanations in response to the notices issued to them and without passing any final orders, the revenue authorities are seeking to dispossess them.

Learned Assistant Government Pleader for Revenue, State of Telangana, would inform this Court that the final orders under Section 6 of the Act of 1905 are yet to be passed.

In that view of the matter, it is not open to the revenue authorities to resort to any coercive measures against the petitioners without first passing appropriate orders pursuant to the notices issued under the Act of 1905.

The Writ Petitions are accordingly disposed of directing the respondent authorities not to interfere with the possession of the petitioners over the subject plots except in accordance with the due procedure laid down by law.

Pending Miscellaneous Petitions, if any, shall stand closed in the light of this final order. No order as to costs.

10th June, 2019
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JUSTICE SANJAY KUMAR

