

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.11821 of 2019

ORDER:

This Writ Petition is filed seeking writ of mandamus declaring the action of the respondents in interfering with the construction of house bearing No.3-19/3, Dhanbad Village, Chunchupally Mandal, Bhadradri Kothagudem District, without notice, as illegal and arbitrary and for consequential directions.

Heard Sri Vijay Kumar Panuganti, learned counsel for the petitioner and Sri J.Sreenivasa Rao, learned Standing Counsel for respondents 1 & 2.

Learned counsel for the petitioner has not brought to the notice of this Court under what authority petitioner is squatting on the subject property.

Learned Standing Counsel appearing for respondents submits that petitioner gave an undertaking dated 19.02.2018 stating that whenever she was asked to vacate the subject premises, she would vacate the premises.

Admittedly, there is no whisper in the affidavit filed in support of the writ petition with regard to title in respect of the subject property, to the petitioner. Petitioner cannot squat on the subject property just because her father-in-law worked in Singareni Collieries and she cannot grab the land belonging to Singareni Collieries. Though the petitioner was asked to stop the construction, she proceeded with the construction, as such, a criminal case was also registered against the husband of the

petitioner, who is happens to be Police constable. Petitioner does not have any legal right to squat on the property of Singareni Collieries.

When this Court was not inclined to entertain the Writ Petition, learned counsel for the petitioner submits that the Government of Telangana issued G.O.Ms.No.76, dated 11.07.2019 for regularization of illegal encroachments in respect of land belonging to Singareni Collieries. However, learned Standing Counsel for respondents submits that the aforesaid GO has no application to the facts of the present case, since the petitioner is claiming right over the property through her father-in-law.

In view of above facts and circumstances, if petitioner is entitled for regularization of the subject land, it is open for her to make an application to the respondents, if she is so advised, and it is for the respondents to consider the same and pass appropriate orders, in accordance with law.

With the above observations, this Writ Petition is disposed of. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY, J

28-10-2019
kvs

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Date 28.10.2019.



kvs