

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 14493 of 2019

Date : 16.7.2019

Between:

Bandru Raja Mallaiah S/o Isthari
Aged 61 years Occ Retd Employee
R/o H No 2-86 Bahadurpet Village Aler Mandal
Yadadribhongir District

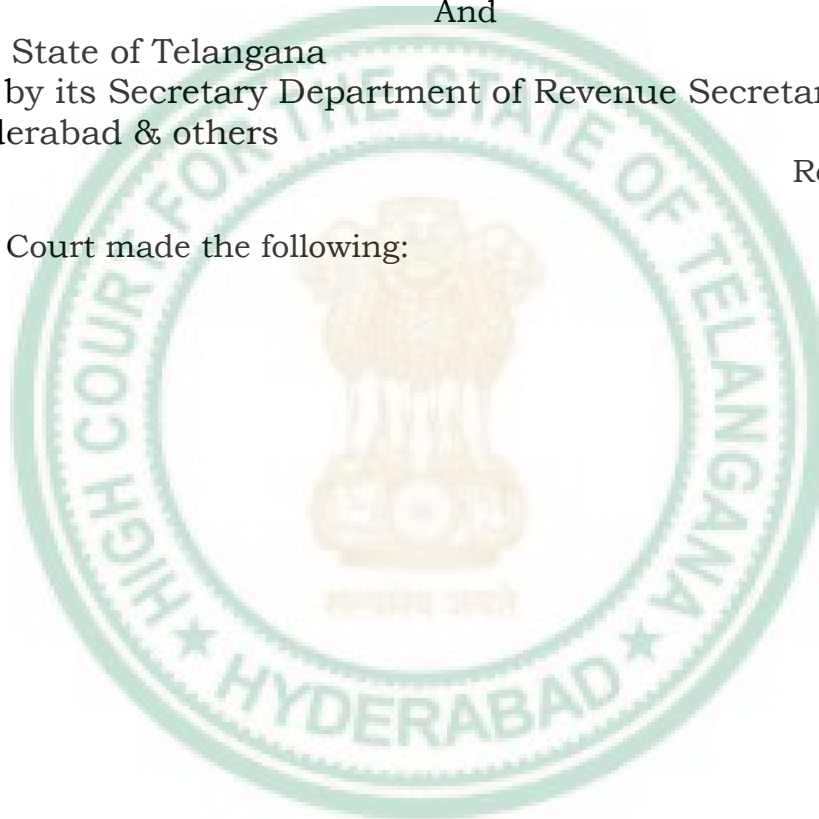
Petitioner

And

The State of Telangana
rep by its Secretary Department of Revenue Secretariat
Hyderabad & others

Respondents

The Court made the following:



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ORAL ORDER:

Heard learned counsel for petitioner and learned Government Pleader for Revenue.

2. Referring to letter of Lokayuktha dated 7.2.2019, notice was issued by Tahsildar on 11.6.2019 alleging that petitioner is in occupation of Government land in Survey No. 71, Bahadurpura village, Aler mandal and made illegal construction therein. In response to the said notice, petitioner submitted his explanation on 20.6.2019. While so, even before a decision is made, apprehending that adverse decision is likely to be made by Tahsildar, this writ petition is filed.

3. Learned counsel for petitioner, sought to contend that notice could not have been issued, without verifying the records; that petitioner has been in possession and enjoyment of the subject land for the last 25 years and that he has made construction after obtaining permission from the Gram Panchayat.

4. Bare perusal of the notice would show that Tahsildar only wanted the petitioner to attend before him and place material in support of his claim of occupation and construction of house. Accordingly petitioner submitted representation on 20.6.2019 and it is not his case that Tahsildar lacks jurisdiction and is incompetent to issue such notice, more so, when correspondence is received from the office of Lokayuktha, Tahsildar wanted to ascertain the true facts regarding the complaint made against the petitioner and claim of the petitioner. Therefore, at this stage, Court is not inclined to entertain the writ petition. Accordingly,

writ petition is dismissed. However, to balance the equities, Tahsildar /second respondent is directed not to disturb the possession of the petitioner till decision is taken in the matter assigning due reasons and same is communicated to the petitioner. Miscellaneous petitions, if any pending, are closed.

DATE: 16-7-2019
TVK

P NAVEEN RAO,J



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