

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.24330 OF 2019

Date:04.12.2019

Between:

Mohd. Parvez, S/o. Mohd. Abdul Gafoor,
Aged 33 years, Occ: Business,
R/o.H.No.4-9-221/B, LIC Colony,
Hayathnagar, Ranga Reddy District
and another

.. Petitioners

And

The State of Telangana, rep., by its
Secretary, Revenue Department,
Secretariat, Hyderabad and others

.. Respondents



The Court made the following:

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ORDER:

Heard learned counsel for the petitioners and learned Government Pleader for Revenue for the respondents.

2. Petitioners allege that M/s. Mayuri Housing Private Limited developed layout and formed residential plots admeasuring Acs.17.05 guntas of land in Survey Nos.70 to 98, 100, 152 and 153 of Batasingaram Village and Gram Panchayat after obtaining layout permission from the Gram Panchayat on 06.01.1981. They allege that their vendor purchased plot No.41 admeasuring 400 sq. yards through registered sale deed dated 18.02.2000 and equally divided into two parts. The eastern side plot was purchased by the 1st petitioner and the western side plot was purchased by the 2nd petitioner through registered sale deed dated 18.03.2019. The petitioners now allege that the respondent authorities are trying to dispossess them from the subject plots for the purpose of construction of dumping yard. Having come to know about the same, they made a detailed representation dated 11.10.2019 to the Tahsildar, Abdullapurmet Mandal, Ranga Reddy District, the 4th respondent. Alleging that the respondent authorities are trying to dispossess the petitioners from the subject plots without following due process of law, this Writ Petition is filed.

3. According to learned counsel for the petitioners, the subject land is a private patta land in which layout was formed and title was validly passed to the petitioners. Thus, without following due process, the private land cannot be taken possession and utilize

the same for any other purpose by the State and the same is illegal.

4. Learned Government Pleader for Revenue, on instructions, submits that the Government is no way concerned with Survey No.70 and the dumping yard is proposed to be constructed in Survey No.155 and development activity is being taken up only in the said survey number and only on an apprehension, the petitioners filed this Writ Petition.

5. Having regard to the statement made by learned Government Pleader, on instructions, by the competent authority, the substantive grievance of the petitioners that the respondent authorities are trying to interfere with the petitioners plots does not survive and therefore the Writ Petition is dismissed as no further orders are required to be passed.

6. The Writ Petition is accordingly dismissed granting liberty to the petitioners to work out their remedies, if any third parties are interfering with their possession and enjoyment. Miscellaneous petitions, if any, shall stand closed.

P.NAVEEN RAO, J

Date:04.12.2019

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