

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.24363 OF 2019

Date: 07.11.2019

Between:

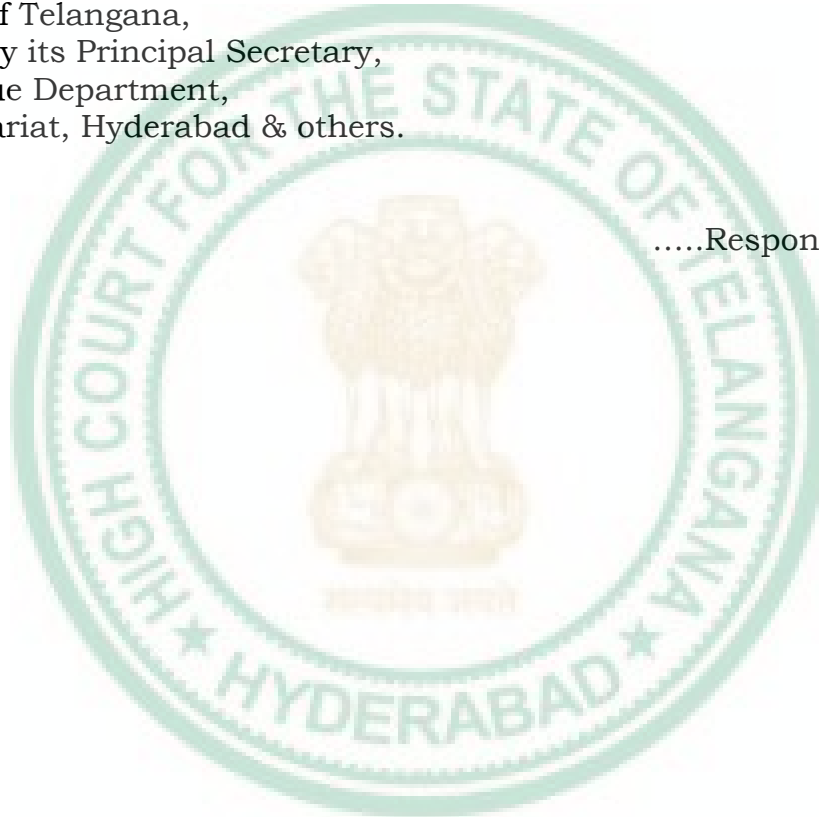
M.Vasu S/o.M. Sainna,
Aged about 50 yrs, R/o.H.No.8-2-683-C/42/1,
Road No.12, NBT Nagar, Banjara Hills,
Hyderabad.

.....Petitioner

And

State of Telangana,
Rep., by its Principal Secretary,
Revenue Department,
Secretariat, Hyderabad & others.

.....Respondents



The Court made the following:

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ORDER:

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

2. Petitioner claims that he occupied Government land constructed a hut and was living in Sy.No.4/2 of Shaikpet Village for the last several years. While so, suddenly local leaders illegally removed the hut and dispossessed him, forcing him to live on pavement. Petitioner submitted representation to the City Civil Court Legal Services Authority (for short 'Legal Services Authority') complaining of his illegal displacement. The Secretary, Legal Services Authority called for report from Tahsildar. The Tahsildar submitted his report vide letter dated 06.07.2019. The report discloses that the Mandal Surveyor visited the site and found that the subject property is a Government land and there is one Goshala existing on 590 Square yards of plot. He also stated that he would take steps to remove the encroachments. The Secretary, Legal Services Authority vide letter dated 26.07.2019 addressed to the District Collector forwarded the report of Tahsildar with a request to provide houses to hut dwellers under Government welfare scheme.

3. The prayer in the writ petition is two fold. Firstly, petitioner says that illegal encroachments are not removed and secondly, he is not provided house under the government Welfare scheme, pursuant to the letter of the Secretary, Legal

Services Authority dated 26.07.2019 and allowing the encroachers to construct permanent structures.

4. With reference to allocation of house sites a detailed procedure is evolved by the Government. A person must apply for providing house site as required and as and when dwelling houses are constructed, they will be allocated. The averments are silent as to whether petitioner has applied for providing house site and his name is under consideration.

5. With reference to removal of encroachments, Tahsildar himself informed that he would take steps to remove encroachments. According to Tahsildar as reported by Mandal Surveyor one Goshala is existing on the land. If there are still encroachments and unauthorized persons are undertaking construction without obtaining building permission in occupation of Government land, it is open to the petitioner to take appropriate steps highlighting alleged illegal constructions and alerting the officials to take appropriate action.

6. In the instant case directly writ petition is filed referring to the correspondence between the Secretary, Legal Services Authority and Tahsildar/District Collector. In the factual background the prayer in the writ petition cannot be granted.

7. Thus, the Writ Petition is dismissed leaving it open to the petitioner to work out his remedies as available in law. Pending miscellaneous petitions, if any, shall stand closed.

P.NAVEEN RAO, J

7th November, 2019
Rds