

THE HONOURABLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION No.26955 of 2019

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking the following relief:

“For the reason stated in the accompanying affidavit, the petitioner herein prays that this Honourable Court Under the above circumstances it is therefore prayed that the Honourable Court may be pleased to issue any appropriate order or direction essentially one in the nature of writ of mandamus declaring the action of the respondent particularly the action of the second respondent and its subordinates in trying to interfere and to demolish the existing compound wall surrounded by my land to an extent of Ac.0-20 Gts in survey No.67, an extent of Ac.0-20 Gts in survey No.85, totally to an extent of Ac.1-00 Gts, situated at Murthuzuaguda village, Murthuzaguda Grampanchayath, Moinabad Mandal, Ranga Reddy District and land an extent of Ac.1-01 Gts in survey No.122/3 and an extent of Ac.0-33 Gts in survey No.123/3 totally extent of Ac.1-34 Gts, all put together an extent of Ac.2-34 gts. situated at Surangal village, Moinabad Mandal, Ranga Reddy District, Telangana State without following due procedure contemplated under law, as illegal, arbitrary, unjust, unconstitutional, violation of principles of natural justice and also in violation of articles 14, 21 & 300-A of the Constitution of India, and consequently direct the respondents not to demolish or interfere with possession and enjoyment of the petitioners over subject land without following the procedure contemplated under law, to pass such other order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the case.”

2. Heard Sri C.Narender, learned counsel appearing for the petitioner, learned Government Pleader for Municipal Administration & Urban Development appearing for the 1st respondent, Sri Y.Rama Rao, learned standing counsel appearing for the 2nd respondent, learned Government Pleader for Revenue

appearing for respondents 3 & 7, learned Government Pleader for Panchayat Raj appearing for the 4th respondent, Sri G.Narender Reddy, learned standing counsel appearing for respondents 5 & 6 and learned Government Pleader for Home appearing for the 8th respondent. Perused the material available on record.

3. It is the case of the petitioner that he has developed a layout and the subject land is an open land surrounded with a compound wall and there are no other structures. In view of the reasonable apprehension that the respondents would interfere with his peaceful possession and enjoyment of the subject property, the present writ petition is filed.

4. Sri G.Narender, learned standing counsel appearing for respondents 5 & 6, submits that the respondents will not interfere with the peaceful possession and enjoyment of the subject property of the petitioner, without following the due process of law.

5. Recording the said submission, the Writ Petition is disposed of directing the respondents not to interfere with the peaceful possession and enjoyment of the subject property of the petitioner, without following the due process of law. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order.

T. AMARNATH GOUD, J

Date: 17th December, 2019
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