

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.28755 OF 2019

DATED : 27.12.2019

Between :

Barupathi Kumaraswamy S/o.Rangamallu,
Aged about 45 yrs, Occu : Business,
H.No.9-8-101, Ward No.9,
Ambedkar Nagar, Bellampally,
Mancherial District (Old Adilabad District)

..... Petitioner

And

The Singareni Collieries Company Limited,
(A Government Company),
Rep., by its Chairman & Managing Director,
Kothagudem Collieries,
Bhadradri Kothagudem District,
Telangana State 504 101 & others.

.....Respondents



The Court made the following:

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ORDER :

Heard learned counsel for the petitioner, learned standing counsel for respondents 1 and 2, learned standing counsel for respondent No.3 and learned Government Pleader for Revenue for respondent No.4.

2. Petitioner claims that he is the owner of house bearing No.9-8-101 in Sy.No.170, Ambedkar Nagar, Ward No.9, Bellampally, Mancherla District. Petitioner alleges that the authorities of Municipality and Singareni Collieries are threatening to dispossess him, from the said house without following the due process. In support of his claim that there exists a house and petitioner is paying municipal tax, he filed the tax receipts stated to have been issued on the said house number in the year 2006 and in the year 2018 which are enclosed as Exs.P.1 to P.3.

3. Learned Standing counsel for Singareni Collieries and learned Standing counsel for the Municipality, submits that the entire land in Sy.No.170 belongs to Singareni Collieries and there is no private land. They also pointed out that except filing some municipal tax receipts, no material is filed to show that there exists a house in Sy.No.170 belonging to petitioner and he validly succeeded to the said property.

4. Having regard to these objections, when the material on record is seen, except filing of tax receipts of the year 2006 and 2018 respectively, no other material is filed to show that the house is constructed and petitioner succeeded to the same, as claimed by

him and that a house is located in Sy.No.170, more particularly, when it is stated by both standing counsel that the entire land in Sy.No.170, belongs to Singareni Collieries.

5. Thus, prima-facie, right of the petitioner is not established on the ownership claim and existence of house. Hence, the relief sought by the petitioner in the writ petition cannot be granted.

6. Accordingly, the Writ Petition is dismissed, leaving it open to the petitioner to place before the Municipality all the relevant documents in support of his claim and satisfy them, about existence of house with title validly passed on to him or to work out his remedies as available in law. Pending miscellaneous petitions, if any, shall stand closed.

27th December, 2019
Rds

P.NAVEEN RAO,J

