

THE HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.44551 OF 2018

ORDER

The prayer of the petitioners in this case reads as under:

'For the reasons stated in the accompanying affidavit, it is prayed that this Hon'ble Court may be pleased to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the the action of the officials of the 2nd respondent in threatening to dispossess the petitioners from their lawful possession in respect of their respective house plots bearing Plot Nos. 2,3,5,6,7,8 and 9 forming part of H.No. 9-7-175 situated behind K.B. Museum, Inside Kaman, Bada Bazar, Golconda, Hyderabad, without issuing any notice and without following the procedure contemplated under the Law as being illegal, arbitrary, unconstitutional and violative of Article 21 and 300-A of the Constitution of India, and consequently direct the officials of the 2nd respondent not to take any coercive steps without following the due process of Law, and to grant such other relief or reliefs as this Hon'ble Court deems fit and proper in the circumstances of the case.'

Sri K.Ramachandra Reddy, learned counsel for the petitioners, and the learned Assistant Government for R & B and Archaeology, State of Telangana, would state before this Court that the matter is squarely covered by the adjudication undertaken earlier in W.P.No.44399 of 2018. A copy of the order dated 15.12.2018 passed in the said writ petition by the erstwhile common High Court is placed on record.

For reasons alike as were stated in the aforestated order and in terms thereof, the writ petition is disposed of directing the respondents to adhere to the due procedure laid down by law in the event they seek to interfere with the possession of the petitioners over the subject house plots or seek to evict them therefrom. Further, if the petitioners try to

make any illegal constructions, it would be open to the respondents to stop the same as per the due procedure laid down by law.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

4th FEBRUARY, 2019

Sv

SANJAY KUMAR, J