

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.1535 of 2020

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking to declare the action of respondent Nos.2 to 5 in interfering with the petitioners' peaceful possession and enjoyment of plot bearing Nos. and 42 and 42/A in Survey No.86 admeasuring 126.66 square yards each, situated at Tulsiraju Layout, (P.V.S.Rama Raju Layout Extn) Nizampet Village and Gram Panchayat, Bachupally Mandal, Medchal, Malkajgiri District respectively, and trying to demolish the same as arbitrary and illegal and consequently direct the respondents to follow the due process of law.

2. Heard the learned counsel for the petitioners and the learned Assistant Government Pleader for Revenue appearing for respondent Nos.1 to 4.

3. The petitioners are owners and possessors of aforesaid lands having purchased the same under sale deeds vide document bearing Nos.164 and 1628 of 2019 respectively. Thereafter, the petitioners obtained permission from the 5th respondent-Gram Panchayat on 08.03.2019 for construction of ground + two floors. While so, on 20.01.2020 respondent Nos.2 to 5 came to the subject plots and obstructed the construction activity and trying to demolish the structures.

4. Learned Assistant Government Pleader for Revenue, on instructions, would submit that basing on sale deeds, petitioners

are trying to encroach the Government land in Survey No.191. He further submitted that the respondent authorities are not interfering with the lands situated in Survey No.86.

5. Recording the said submission, the Writ Petition is disposed of. If the lands of petitioners are required, the respondent authorities have to follow due process of law. It is open for the respondent authorities to take steps to protect the Government land in Survey No.191.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

A.RAJASHEKER REDDY, J

28th January, 2020

Note:

**Issue C.C.in two days
(B/o)
YVL**

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Date:28.01.2020

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