THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION Nos.5952, 5967, 5977, 5984, 6013, 6056, 6153, 6161 AND 6171 OF 2020

Date:18.03.2020

Between:

Chintala Veeraswamy .. Petitioner

And

The State of Telangana, rep., by its Principal Secretary to Government, Revenue Department, Secretariat Buildings, Hyderabad and others .. Respondents

HIGH COURT FOR THE STATE OF TELANGANA
HYDERABAD

The Court made the following:

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COMMON ORDER:

Heard learned counsel for the petitioners and learned Government Pleader for Revenue for the respondents. With consent, writ petitions are disposed of at the admission stage.

2. Against the order of eviction, dated 29.06.2019, appeal preferred by the petitioners was rejected by the appellate authority. Aggrieved by the same, petitioners preferred revision before District Collector. Copy of the revision acknowledged by the office of the District Collector on 18.02.2020 is filed as Ex.P1.

3. According to learned counsel for the petitioners, the Tahsildar addressed letter dated 07.03.2020 to the Station House Officer, Chandrugonda Police Station, requesting to provide police protection to take possession of the subject lands in compliance of the eviction order passed. Learned counsel submits that as can be seen from the correspondence itself, petitioners have been in long and continuous possession and only recently the Tribals complained that the land assigned to them to an extent of Acs.85.17 gutnas in Survey Nos.25, 48, 70, 84, 85 and 92 of Damaracherla Village is in illegal occupation of the petitioners and they may be evicted. Based on the said request of the Tribals, the eviction order was passed. He would also point out that even according to the Tribals, the assignment was granted to them in 1990, but at no point of time, they entered into the land and petitioners are in possession of the subject lands. Since revision is

pending, there is no justification to throw away the petitioners at this stage.

4. Learned Government Pleader does not dispute the factum of pending revision. However, he would submit that the Tribals now requested the Tahsildar to evict the encroachers by complying with the order passed on 29.06.2019 and as there was a threat of law and order problem, police protection was sought.

5. Since revision was already preferred and *prima facie* reading of the material on record would show that petitioners are in possession of the subject lands, pending revision, the petitioners should not be thrown out at this stage. In the facts of these cases, the writ petitions are disposed of with the following directions:

Till disposal of the revision, the parties shall maintain *status quo,* obtaining as on today on the subject land. The District Collector is also directed to dispose of the revision as expeditiously as possible preferably within a period of eight weeks. All other issues are left open to be decided by the competent authority on due consideration of all aspects. It is open to the aggrieved person to work out his remedy in accordance with law. It is made clear that there is no expression of opinion on merits. Pending Miscellaneous Petitions shall stand closed.

P. NAVEEN RAO, J

Date:18.03.2020

Note:- Issue C.C. tomorrow.

(B/o)

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