HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)

MONDAY, THE THIRTEENTH DAY OF JULY
TWO THOUSAND AND TWENTY

PRESENT

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION NO: 10120 OF 2020

Between:

1. Boini Sangamma, W/o Boini Venkatesham Aged about 40 years, Occ: Agriculture R/o Yelgoi Village, Dharasargre Mandal, Sanga Reddy District
2. Jangli Bujji, W/o Padanna Aged bout 43 years, Occ. Agriculture R/o Yelgoi Village, Dharasargre Mandal, Sanga Reddy District

...PETITIONERS

AND

1. The State of Telangana, Rep by its Principal Secretary Revenue Department Secretariat Hyderabad
2. The District Collector, Sanga Reddy District
3. The Tahsildar, Dharasargre Mandal, Sanga Reddy District
4. Grampanchayat, Yelgoi., Rep by its Panchayat Secretary Dharasargre Mandal, Sanga Reddy District

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the proposed action of the Respondents in demolishing and dispossessing the Petitioners from their tin shed Houses Construted over the Gautan land allotted to the Petitioners under Indiramma Housing Scheme, situated at Yelgoi Village, Dharasargre Mandal Sanga Reddy District as illegal, and arbitrary. and consequently direct the Respondents not to demolish the tin shed houses and dispossess the Petitioners from their Houses Constructed over Gautan land alloted to the petitioners Under Indiramma Housing Scheme.

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondents not to demolish and dispossess the Petitioners from their tin shed houses constructed over the Gautan land alloted under Indiramma Housing Scheme, Situated at Yelgoi Villge, Dharasargre Mandal, Sanga Reddy District pending disposal of the above writ petition.

Counsel for the Petitioner: SRI A. NAJEEB KHAN

Counsel for the Respondent Nos.1 to 3: GP FOR REVENUE

Counsel for the Respondent No.4: SRI G. NARENDER REDDY,

SC FOR GRAMPANCHAYAT

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

W.P. No.10120 of 2020

ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue for respondent Nos.1 to 3 and the learned Standing Counsel appearing for respondent No.4-Gram Panchayat. With their consent, the writ petition is disposed of at the stage of admission.

The main grievance of the petitioners is that even though they are in possession of the tin shed houses constructed over the Gautan land granted to them under Indiramma Housing Scheme, the official respondents, without issuing any notice to them, are trying to disposes them and that the official respondents with a malafide intention have issued the eviction notices to their spouses.

The learned Standing Counsel, on instructions, has stated that the petitioners have not being allotted any houses by the Gram Panchayat and under the Indiramma Housing Scheme only amount for construction will be given. Even the alleged possession certificate issued by the Tahsildar is a bogus one. That the husbands of the petitioners were issued with the notices and action will be taken in accordance with the law.

Learned counsel for the petitioners does not dispute the fact that the respective husbands of the petitioners were served notices by the Gram Panchayat and the petitioners have also filed explanation to the same by registered post with acknowledgment

due. The learned Standing Counsel has stated that the Gram Panchayat has not received any such explanations.

In view of the rival submissions made by both the counsel, the petitioners are directed to submit their explanations to the notices dated 02.07.2020 and 04.07.2020 issued in the name of the husbands of the petitioners, within a period of two weeks from the date of receipt of a copy of this order. On such explanations being received, the Gram Panchayat shall take such explanations into consideration and pass necessary orders, strictly in accordance with the law. Till such time, the respondents are directed not to disturb the possession of the petitioners. A copy of the order passed by the Gram Panchayat shall be communicated to the petitioners individually.

As a sequel, Miscellaneous Petitions, pending if any, shall stand dismissed. There shall be no order as to costs.

SD/- I.NAGALAKSHMI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary Revenue Department, State of Telangana, Secretariat Hyderabad
2. The District Collector, Sanga Reddy District
3. The Tahsildar, Dharasargre Mandal, Sanga Reddy District
4. The Panchayat Secretary, Grampanchayat, Yelgoi, Dharasargre Mandal, Sanga Reddy District
5. One CC to Sri A. Najeeb Khan, Advocate [OPUC]
6. One CC to Sri G. Narender Reddy, SC for Grampanchayat, Advocate [OPUC]
7. Two CCs to GP for Revenue, High Court for the State of Telangana at Hyderabad. [OUT]
8. Two CD Copies

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HIGH COURT

DATED:13/07/2020



ORDER

WP.No.10120 of 2020

DISPOSING OF THE WP

WITHOUT COSTS

AJM, J
13/7/2020