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

THURSDAY, THE TENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY

PRESENT

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION NO. 20238 OF 2020

Between:

Chenu Laxmi, W/o.Chenu Ravi Kumar, Aged about 35 years, Occ: Housewife, R/o.H.No.7-2-39, ward No.7, Hanuman Basthi, Back side Police Station, Bellampalli town, Mancherial District.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Municipal Administration and Urban Development Department, Secretariat Buildings, Secretariat, Hyderabad.
2. The Bellampalli Municipality, Bellampalli, Mancherial District, Rep. by its Commissioner.
3. The Tahasildar, Bellampalli Mandal, Mancherial 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 a writ order or direction particularly one in the nature of writ of mandamus declaring the action of the respondents 2 and 3 in dispossessing the petitioner from the house bearing 7-2-39, ward No.7, Hanuman Basthi, Back side Police Station, admeasuring 80.36 sq. Yards, Bellampalli town, Mancherial District without notice, opportunity of being heard and without following due process of law as illegal, arbitrary and violative of Article 300-A of the Constitution of India and consequently direct the respondents not to interfere with the peaceful possession and enjoyment of the house bearing 7-2-39, ward No.7, Hanuman Basthi, Back side Police Station, admeasuring 80.36 sq. Yards, Bellampalli town, Mancherial District of the petitioner.

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 dispossess the petitioner from the house bearing 7-2-39, ward No.7, Hanuman Basthi, Back side Police Station, admeasuring 80.36 sq. Yards, Bellampalli town, Mancherial District without following due process of law, pending disposal of the writ potion.

Counsel for the Petitioner: SRI V. YADU KRISHNA SAINATH

Counsel for the Respondent No.1: GP FOR MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT

Counsel for the Respondent No.2: SRI N. PRAVEEN KUMAR, S.C. FOR MUNICIPALITIES

Counsel for the Respondent No.3: GP FOR REVENUE

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION No.20238 of 2020

ORDER:

Heard learned counsel for the petitioner, learned Government Pleader for Municipal Administration and Urban Development for respondent No.1, learned Standing Counsel for Municipalities appearing for respondent No.2, and the learned Government Pleader for Revenue appearing for respondent No.3. With their consent, the Writ Petition is disposed of at the stage of admission itself.

The present writ petition is filed by the petitioner aggrieved by the action of respondent Nos.2 and 3 in trying to dispossess her from the house bearing No.7-2-39, admeasuring 80.36 square yards, Ward No.7, Hanuman Basthi, Back side Police Station, Bellampalli Town, Mancherial District, without issuing any notice, as illegal and arbitrary.

Learned Standing Counsel, on instructions, has stated that the official respondents are not interfering with the possession of the petitioner, and in case, if they need to do so, they will do it in accordance with law.

In view of the above made submissions, the grievance of the petitioner stands redressed and the Writ Petition is disposed of directing the official respondents not to interfere with the possession of the petitioner, except in accordance with the procedure established by law. It is made clear that the petitioner shall not make any constructions without obtaining necessary permission from the competent authority.

The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

SD/-CH.VENKATESWARULU
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration and Urban Development Department, State of Telangana, Secretariat Buildings, Secretariat, Hyderabad.
2. The Commissioner, Bellampalli Municipality, Bellampalli, Mancherial District.
3. The Tahasildar, Bellampalli Mandal, Mancherial District.
4. One CC to Sri V. Yadu Krishna Sainath, Advocate [OPUC]
5. Two CCs to GP for Municipal Administration and Urban Development, High Court for the State of Telangana at Hyderabad. [OUT]
6. One CC to Sri N. Praveen Kumar, S.C. For Municipalities (OPUC)
7. Two CCs to GP for Revenue, High Court for the State of Telangana at Hyderabad. [OUT]
8. Two CD Copies.

MP

HIGH COURT

DATED:10/12/2020



ORDER

WP.No.20238 of 2020

DISPOSING OF THE WRIT PETITION WITHOUT COSTS

(11) VW 16/12/20