HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY ,THE TWENTY FIRST DAY OF DECEMBER
TWO THOUSAND AND TWENTY

PRESENT

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

WRIT PETITION NO: 22222 OF 2020

Between:

Ajmeera Vijaya, W/o. Bhadru, Age 35 years, Occ. Agriculture, R/o. Bojyanaiak Thanda, Narsampet Mandal, Warangal Rural Dist.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary (Revenue Department), Secretariat, Hyderabad.
2. The District Collector, Warangal District.
3. The Revenue Divisional Officer, Narsampet, Warangal Rural District.
4. The Tahasildar, Narsampet Mandal, Warangal Rural 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 or direction preferably Writ of Mandamus declaring the action of the respondent nos.3 and 4 and their subordinates in trying to dispossess the petitioner from land in Sy.No. 492/1/3, admeasuring Ac 1.20 guntas situated at Bhanjipet village, Narsampet Mandal, Warangal District without issuing any notice, without initiating any proceedings by following due process of law is ex facie, illegal, arbitrary and violative of principles of natural justice and violative of Art.300-A of Constitution of India and consequently direct the respondent Nos.3 and 4 and their subordinates not to dispossess the petitioner from land in Sy.No. 492/1/3, admeasuring Ac 1.20 guntas situated at Bhanjipet village, Narsampet Mandal, Warangal District, Warangal District, in any manner.

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 respondent Nos.3 and 4 and their subordinates not to dispossess the petitioner from land in Sy. No. 492/1/3, admeasuring Ac 1.20 guntas situated at Bhanjipet village, Narsampet Mandal, Warangal District, in any manner.

Counsel for the Petitioner : SRI P. DEVENDER
Counsel for the Respondents: AGP FOR REVENUE
The Court made the following: ORDER

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION No.22222 OF 2020

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner, wherein the following prayer is made:

> **"...to issue a writ or direction preferably Writ of Mandamus declaring the action of the respondent Nos.3 and 4 and their subordinates in trying to dispossess the petitioner from land in Sy.No.492/1/3 admeasuring Ac.1.20 guntas situated at Bhanjipet village, Narsampet Mandal, Warangal District, without issuing any notice without initiating any proceedings by following due process of law is ex facie illegal, arbitrary and violative of principles of natural justice and violative of Art.300-A of Constitution of India and consequently direct the respondent Nos.3 and 4 and their subordinates not to dispossess the petitioner from land in Sy.No.492/1/3 admeasuring Ac.1.20 guntas situated at Bhanjipet village, Narsampet Mandal, Warangal District, in any manner and pass such other order or orders...."**

2. Heard the learned counsel for the petitioner, the learned Assistant Government Pleader for Revenue appearing for respondents and perused the record.

3. The learned counsel for the petitioner would submit that petitioner is the owner and possessor of land admeasuring Ac.1.20gts in Sy.No.492/1/3 situated at Bhanjipet village, Narsampet Mandal, Warangal District. The said land was assigned to the petitioner and her name was also incorporated in the revenue records. Further, the petitioner is also getting money under Rythu Bandhu Scheme in respect of the subject land. It is contended that the respondent Nos.3 and 4 without there being any right, title or interest, are trying to dispossess

the petitioner from the subject land and ultimately prayed to grant the relief as indicated above.

4. On the other hand, learned Assistant Government Pleader for Revenue, on written instructions, would submit that there is a Government land in Sy.No.492 situated at Bhajipet Village, comprising total extent of Ac.12-04 gts, out of which, an extent of Ac.4-00gts was assigned to farmers. The petitioner was assigned Government land admeasuring Ac.1-20gts in Sy.No.492/1/3 situated at Bhanjipet Village, Narsampet Mandal. Furthermore, an extent of Ac.5-00gts was allotted for construction of Ware Housing Corporation Godown and possession was also delivered to the Managing Director, Telangana State Ware Housing Corporation, Hyderabad under cover of panchanama on 22.05.2020. It is further submitted that there is no interference by any of the respondents over the land belonging to the petitioner, as alleged. The petitioner has filed this writ petition only on apprehension and ultimately prayed to dismiss the writ petition.

5. In view of the above submissions made by the learned Assistant Government Pleader for Revenue, it is difficult to hold that the respondents are interfering or making attempts to dispossess the petitioner from the land assigned to her i.e, land admeasuring Ac.1-20gts in Sy.No.492/1/3 situated at Bhanjipet Village, Narsampet Mandal, Warangal District. There is no cause action to file this writ petition. Therefore, the petitioner is not entitled for any relief sought for.

6. With the above observations, the Writ Petition is disposed of.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

SD/-K.SAILESHI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary (Revenue Department), State of Telangana, Secretariat, Hyderabad.
2. The District Collector, Warangal District.
3. The Revenue Divisional Officer, Narsampet, Warangal Rural District.
4. The Tahasildar, Narsampet Mandal, Warangal Rural District.
5. One CC to Sri P. Devender, Advocate [OPUC]
6. Two CCs to GP for Revenue, High Court for the State of Telangana at Hyderabad. [OUT]
7. Two CD Copies

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HIGH COURT

DATED:21/12/2020

ORDER

WP.No.22222 of 2020



DISPOSING OF THE WP

WITHOUT COSTS

