

HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.28329 of 2019

ORDER:

The petitioners claim that they own house plots of different extents having purchased the same from the vendors situated in Sy.No.957/B of Karimnagar Town and District. The petitioners allege that adjacent land to an extent of Ac.0-34 guntas in Sy.No.50 was acquired by the Government and in the process of acquisition, they have taken advance possession, allotted the land to the Civil Supplies Department for establishing a Petroleum Retail Outlet. In the guise of allotment of the above mentioned land, the respondent authorities are encroaching into the adjacent lands of the petitioners and the same is illegal. Aggrieved by the said action of the respondent authorities, this writ petition is filed.

2. Two aspects are required to be noticed. *Firstly*, the land claimed by the petitioners and the land, which the Government claims to have acquired, are in two different survey numbers. *Secondly*, the petitioners claim to have purchased the house plots. House plots can be made only after the agricultural lands are converted into non-agricultural purpose and layout is permitted to be processed. *Prima facie*, whether the grievance of the petitioners is valid can be considered on due assessment of layout permission and location of the plots of the petitioners. These aspects are

not placed on record. Thus, as things stand, the grievance of the petitioners that the Government is encroaching into their land cannot be gone into.

3. Therefore, granting liberty to the petitioners to make an application online to conduct survey, this writ petition is dismissed. If any such application is made, it is open to the respondent authorities to consider the request of the petitioners to conduct survey having regard to the issue agitated in the writ petition and take appropriate decision within a period of six weeks from the date of receipt of a copy of this order. No order as to costs.

4. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE P. NAVEEN RAO

08.01.2020.

Msr

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