

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

**WEDNESDAY, THE TWENTY NINTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY ONE**

PRESENT

THE HON'BLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NO: 36969 OF 2021

Between:

SMT KALA BAI, W/o Late Lalman Prithvi Raj, Aged about 72 years, Occ.
Household, R/o H.No.6-2-659, Near Shadan College, Lakdikapool, Hyderabad.

...PETITIONER

AND

1. THE STATE OF TELANGANA, Rep by its Principal Secretary, Home Department, Secretariat, Hyderabad.
2. THE COMMISSIONER OF POLICE, Cyberabad.
3. THE DEPUTY COMMISSIONER OF POLICE, Madhapur Gachibowli Zone, Cyberabad.
4. THE STATION HOUSE OFFICER, Rayadurgam Police Station, Serilingampally, Ranga 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 pass an order, direction or writ more particularly one in the nature of writ of mandamus declaring the high-handed and illegal action of the Respondents in trying to demolish the structures over the Land admeasuring 650 sq.yds in Sy.No.91, situated at Gachibowli Village, Serilingampally Mandal, Ranga Reddy District belongs to Petitioner thereby to dispossess her while interfering with the peaceful possession and enjoyment without issuing any notice and without following the due process of law as it being illegal, arbitrary, unconstitutional and in violation of principles of natural justice and consequently direct the Respondents not to demolish the structures over the above said property while dispossessing the Petitioner while interfering with her peaceful possession and enjoyment over it and pass

IA NO: 1 OF 2021

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 the structures over the land admeasuring 650 sq.yds in Sy.No.91, Gachibowli Village, Serilingampally Mandal, Ranga Reddy District thereby to dispossess the Petitioner while interfering with her peaceful possession and enjoyment over it and pass

**Counsel for the Petitioner: SRI.V. RAVINDER RAO, SENIOR COUNSEL FOR
SRI. G RAJESHWAR REDDY**

Counsel for the Respondents: GP FOR HOME

The Court at the stage of admission made the following: ORDER

THE HON' BLE SRI JUSTICE B.VIJAYASEN REDDY

WRIT PETITION No.36969 of 2021

ORDER:

Heard Sri V.Ravinder Rao, learned Senior Counsel appearing on behalf of the learned counsel for the petitioner and learned Assistant Government Pleader for Home appearing for respondents 1 to 4. With their consent, the Writ Petition is disposed of at the stage of admission.

2. The grievance of the petitioner in this Writ Petition is that the respondents-police are trying to interfere with the possession of the petitioner by demolishing the structures erected in the subject property i.e., land admeasuring 650 sq. yards in S.No.91 situated at Gachibowli Village, Serilingampally Mandal, Ranga Reddy District, without issuing any notice and without following due process of law.

3. Learned Senior counsel appearing for the petitioner submits that the above land was allotted to the petitioner under Land Transfer Certificate dt.24.06.2004 by the Government in lieu of the land of the petitioner being acquired by the Government for construction of government office building, but the respondents are acting in a highhanded and illegal manner to demolish the structures raised by the petitioner over the subject property. He therefore, sought for a direction to the respondents not to dispossess the petitioner without following due process of law.

4. Learned Assistant Government Pleader for Home basing on the written instructions submitted that respondents-police at no point of time interfered with the possession of the petitioner or tried to

demolish the structures in the subject property, more particularly, on 27.12.2021 as alleged by the petitioner. He further submitted that WP.No.289130 of 2021 filed by the petitioner is pending.

5. Learned Senior counsel Sri V.Ravinder Rao, submitted that the said writ petition was filed aggrieved by the action of the revenue authorities, more particularly, the District Collector in not registering conveyance deed in favour of the petitioner in respect of the subject property, and the said writ petition was disposed of by order dt.16.11.2021.

6. In view of the above, this Writ Petition is disposed of placing on record the written instructions submitted by the learned Assistant Government Pleader for Home that there is no interference by the respondents-police with the possession and enjoyment by the petitioner over the subject property. However, liberty is granted to the petitioner to approach this Court, if the petitioner is aggrieved by any future acts of the respondents-police, regarding her possession and enjoyment over the subject property. No order as to costs.

7. Consequently, miscellaneous petitions, if any pending, shall stand closed.

//TRUE COPY//

SD/-M.MANJULA
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Home Department, Secretariat, State of telangana, Hyderabad.
2. The Commissioner of Police, Cyberabad.
3. The Deputy Commissioner of Police, Madhapur Gachibowli Zone, Cyberabad.
4. The Station House Officer, Rayadurgam Police Station, Serilingampally, Ranga Reddy District.
5. One CC to Sri. G Rajeshwar Reddy Advocate [OPUC]
6. Two CCs to GP for HOME, High Court for the State of Telangana at Hyderabad [OUT]
7. Two CD Copies
8. One Spare Copy.

rsn

HIGH COURT

DATED:29/12/2021

ORDER

WP.No.36969 of 2021



DISPOSING OF THE WRIT PETITION

WITHOUT COSTS

(10) VW
5/1/22