

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION No.41077 of 2022

O R D E R:

The writ petition is filed seeking the following relief:

“... to issue an appropriate writ or order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd respondent interfering into the peaceful possession and enjoyment of property agriculture dry land admeasuring Ac.0.37gts in Survey No.30 situated at Gopalapuram Village, Hanumakonda Mandal, Hanumakonda District (erstwhile Warangal District), without issuing any prior notice or intimation, without following the due process of law, as arbitrary, illegal, high handedness against the principles of natural justice and against the Right to Property guaranteed under Article 300-A of the Constitution of India and consequently direct the 2nd respondent not to interfere into peaceful possession and enjoyment of the petitioner's property agriculture dry land admeasuring Ac.0.37gts, in Survey No.30 situated at Gopalapuram Village, Hanumakonda Mandal, Hanumakonda District (erstwhile Warangal District) without issuing any prior notice, without following the due process of law and ...”.

2. Ms. R. Madhavi Latha, learned counsel for the petitioner submits that the petitioner is absolute owner and possessor of the agricultural land admeasuring Ac.0.37gts in Survey No.30 of Gopalapuram Village, Hanumakonda Mandal, Hanumakonda District. She submits that the said property was acquired by way of Lok Adalat award dated 03.08.2006 before the Lok Adalat at Warangal (Civil) in O.S.No.137 of 2004 on the file of I Addl. Senior Civil Judge at Warangal and in the said award, the defendant has clearly admitted that he has delivered the possession of the property to the petitioner herein. She submits that the petitioner is in possession of the

property. She submits that the respondents are threatening the petitioner that they will evict them and also demanding the sale deed from the petitioner. The respondents without following the due process in a highhanded manner are interfering and threatening the petitioner.

3. Mr. S. Surender Reddy, learned standing counsel for the respondent municipality submits that as stated in the affidavit, the respondents are not acting in a highhanded manner. He submits that if any constructions are made contrary to the sanction plan, they will take appropriate action in accordance with law.

4. Recording the said submission of the learned standing counsel, the writ petition is disposed of directing the respondents not to interfere with the petitioner's possession without following the due process of law. There shall be no order as to costs.

The Miscellaneous Applications, if any shall stand automatically closed.

10th November, 2022

gvl

LALITHA KANNEGANTI, J