

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THURSDAY, THE EIGHTH DAY OF APRIL

TWO THOUSAND AND TWENTY ONE ✓

:PRESENT:**THE HONOURABLE SRI JUSTICE P NAVEEN RAO ✓****WRIT PETITION NO: 7023 OF 2021****Between:**

Biradar Marthappa, S/o. Sri B. Chennappa

...Petitioner ✓**AND**

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat Buildings, Saifabad, Hyderabad.
2. The District Collector (Revenue), Sangareddy District erstwhile Medak District.
3. The Joint Collector, (Revenue), Sangareddy District erstwhile Medak District.
4. The Mandal Revenue officer, Sirgapur Mandal, Sanga Reddy District Erstwhile Medak 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 order or direction particularly one in the nature of Mandamus, declaring the action of the respondents in interfering the peaceful possession and enjoyment of the petitioner's land situated in Sy No.11/2/E to an extent of Ac.1.05 guntas in Goudgaon village, Sirgapur Mandal, Sangareddy District erstwhile Medak District without any notice nor any proceedings on the said land, as illegal and arbitrary action on the part of the respondents and also violative of Articles 14, 16 and 21 of the Constitution of India and consequently direct the respondents not to interfere with the peaceful possession and enjoyment of the petitioner's land situated in Sy No 11/2/E to an extent of Ac.1.05 guntas in Goudgaon village, Sirgapur Mandal, Sangareddy District erstwhile Medak District.

IA NO: 1 OF 2021 ✓

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the respondents not to interfere with the peaceful possession and enjoyment of the petitioner's land situated in Sy No 11/2/E to an extent of Ac.1.05 guntas in Goudgaon village, Sirgapur Mandal, Sangareddy District erstwhile Medak District, pending disposal of WP.No.7023 of 2021, on the file of the High Court. ✓

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof the court order dated 23.03.2021 and upon hearing the arguments of Ms. V. UMA DEVI Advocate for the Petitioner and GP FOR REVENUE for the Respondents, the Court made the following.

ORDER:

Heard both sides. Learned Assistant Government Pleader requested to grant some more time for filing counter. The interim order granted on 23.03.2021 is modified is under:

If petitioner is in possession and the Government intends to utilise the land of petitioner for any public purpose, they shall not dispossess the petitioner without following the due process. Further, if petitioner is found to be in possession, petitioner is directed not to change the physical features of the land or create third party interest.

At request of learned Assistant Government Pleader list on 15.06.2021.

SD/- I.NAGA LAKSHMI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, State of Telangana, Secretariat Buildings, Saifabad, Hyderabad. ✓
2. The District Collector (Revenue), Sangareddy District erstwhile Medak District. ✓
3. The Joint Collector, (Revenue), Sangareddy District erstwhile Medak District. ✓
4. The Mandal Revenue officer, Sirgapur Mandal, Sanga Reddy District Erstwhile Medak District (RR 1 to 4 by RPAD). ✓
5. One CC to Ms. V. UMA DEVI, Advocate [OPUC]. ✓
6. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad [OUT]. ✓
7. One spare copy

HIGH COURT

PNR,J

DATED; 08.04.2021

NOTE: LIST ON 15.06.2021

WP.NO.7023 OF 2021



DIRECTION