

**HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD****(Special Original Jurisdiction)****TUESDAY, THE THIRTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY TWO****PRESENT****THE HONOURABLE SRI JUSTICE K.LAKSHMAN****WRIT PETITION NO: 8896 OF 2005****Between:**

B. Krishna, S/o. Balaiah, 61 years, Occ: Business, R/o. Plot No. G6, Krishna Plaza Apartment, Dubai Gate, Asmanpt, Old Powanepally, Secunderabad, Hyderabad.

...PETITIONER**AND**

1. The District Collector, Hyderabad, Hyderabad District.
2. The Mandal Revenue Officer, Tirumalghery, Secunderabad.
3. The Executive Officer, O/o. the Contonment Board, Secunderabad.
4. The A.P. State Cooperative Bank Ltd., Troop Bazar, Hyderabad rep. by its General Manager.

...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, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents taking possession of the Land of the petitioner by force without notice and opportunity as illegal, arbitrary and violative of Article 14 and 300 A of the Constitution of India and contrary to law and contrary to the provisions of Land Encroachment Act besides contrary to the mandate of the Apex Court of the land as well as this Hon'ble High Court and consequentially directing the respondents to restore the land and hand over the possession to the petitioner forthwith in the interest of justice.



2022:TSHC:47622

Counsel for the Petitioner: SRI SAROSH SAM BASTAWALA

Counsel for the Respondent No.1: GP FOR REVENUE

Counsel for the Respondent No.2: SRI D.S.N.V PRASAD BABU

Counsel for the Respondent No.3: SRI K.R KOTESWARA RAO, SC FOR
CONTONMENT BOARD

Counsel for the Respondent No.4: GP FOR ASSIGNMENT

The Court made the following: ORDER



2022:TSHC:47622

THE HONOURABLE SRI JUSTICE K. LAKSHMAN

WRIT PETITION No.8896 of 2005

ORDER:

Despite listing the matter under the caption 'for dismissal', even today, there is no representation on behalf of the petitioner.

Sri K.R.Koteshwara Rao, learned Standing counsel appearing for respondents would submit that recording the submission that the Government has already taken possession of the subject property, this Court has dismissed W.P.No.4291 of 2004 as infructuous. He would further submit that even in the present writ petition, the cause does not survive and it has become infructuous.

Recording the said submission, this Writ Petition is dismissed as infructuous.

Miscellaneous petitions, if any, pending, shall stand closed.

**SD/-N.CHANDRA SEKHAR RAO
ASSISTANT REGISTRAR**

//TRUE COPY//

Senky
SECTION OFFICER

To,

1. One CC to SRI SAROSH SAM BASTAWALA Advocate [OPUC]
2. Two CCs to GP FOR REVENUE, High Court for the State of Telangana. [OUT]
3. One CC to SRI D.C.N.V PRASAD BABU Advocate [OPUC]



2022:TSHC:47622

4. One CC to SRI K.R KOTESWARA RAO, SC FOR CONTONMENT BOARD [OPUC]
 5. Two CCs to GP FOR ASSIGNMENT, High Court for the State of Telangana. [OUT]
 6. Two CD Copies
- KKS
- SW



2022:TSHC:47622

HIGH COURT

DATED:13/09/2022

ORDER

WP.No.8896 of 2005



**DISMISSING OF THE WRIT PETITION
AS INFRACTUOUS
WITHOUT COSTS**