

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY ,THE TWENTY SIXTH DAY OF APRIL

TWO THOUSAND AND TWENTY FOUR

:PRESENT:**THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY****WRIT PETITION NO: 11287 OF 2024****Between:**

1. Thikka Raja Mallaiah, S/o. Late Mallaiah.

Petitioner**AND**

1. The State of Telangana, Rep. by its Principal Secretary, Home Department, Secretariat, Hyderabad.
2. The Commissioner of Police, Warangal Commissionerate, Warangal District.
3. The Station House Officer, Kakatiya University Police Station, Hanamkonda, Hanamkonda District.
4. Kakatiya University, rep by its Registrar, Hanamkonda, Warangal

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 Writ Order or Direction more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondents No.2 and 3 at the instance of the 4th Respondent in interfering with civil dispute in respect of land in Sy.No.413/2, admeasuring Ac.1-02gts., situated Pulivelpula Village, Hanamkonda Mandal and District as illegal, arbitrary and violation of the Article 14, 19 and 300-A of constitution of India and consequently direct the Respondents No.2 and 3 not to interfere with the peaceful possession and enjoyment of the petitioner in respect of the above said land.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri J VENKATESWARA REDDY Advocate for the Petitioner, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

IA NO: 1 OF 2024

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 No.2 and 3 not to interfere in the civil dispute in respect of the land in Sy.No.413/2, admeasuring Ac.1-02gts., situated Pulivelpula Village, Hanamkonda Mandal and District which is in civil nature, pending disposal of WP No. 11287 of 2024, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri J VENKATESWARA REDDY Advocate for the Petitioners, GP FOR HOME for the Respondent Nos .1 to 3 and the Court made the following.

The Court made the following: ORDER

Mr. Bhanu Prakash, learned Standing Counsel for respondent No.4, submitted that the subject land admeasuring Ac.1-02 guntas in Survey No.413/2, situated at Pulive!pula Village, Hanamkonda Mandal and District, is acquired by the Government for the purpose of respondent No.4 University. Despite the same, the petitioner is making false claim over the subject land and tried to encroach into the same.

Learned counsel for the petitioner submitted that the relief sought in this writ petition is to direct respondents No.2 and 3 not to interfere in the civil disputes in respect of the subject land.

In the circumstances, there shall be interim direction to respondent No.3 - the Station House Officer, Kakatiya University Police Station, not to interfere in the civil disputes pending between the petitioner and respondent No.4 in respect of the subject land without following due process of law.

Learned Assistant Government Pleader for Revenue and learned Standing Counsel for respondent No.4 are directed to get instructions or file counter by the next date of hearing.

Print the name of learned Standing Counsel for respondent No.4.

Post on 10.06.2024.

SD/-V.KAVITHA
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, State of Telangana, Home Department, Secretariat, Hyderabad.
2. The Commissioner of Police, Warangal Commissionerate, Warangal District.
3. The Station House Officer, Kakatiya University Police Station, Hanamkonda, Hanamkonda District.
4. The Registrar, Kakatiya University, Hanamkonda, Warangal
(for 1 to 4 by RPAD)
5. One CC to SRI. J VENKATESWARA REDDY Advocate [OPUC]
6. Two CCs to GP FOR HOME, High Court at Hyderabad. [OUT]
7. Two CCs to GP FOR REVENUE, High Court at Hyderabad. [OUT]
8. One spare copy

HIGH COURT

BVRJ

DATED:26/04/2024

POST ON 10.06.2024

ORDER

WP.No.11287 of 2024



DIRECTION