

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
FRIDAY, THE SECOND DAY OF AUGUST TWO THOUSAND AND NINETEEN

:PRESENT:

THE HONOURABLE SRI JUSTICE P NAVEEN RAO

IA No. 1 OF 2019

IN

WP NO: 16347 OF 2019



Between:

Sandhyapogu Raju, S/o. S.Benjiman

...Petitioner
(Petitioner in WP.No.16347 OF 2019
on the file of High Court)

AND

1. State of Telangana, represented by its Principal Secretary, Revenue Department at Secretariat, Hyderabad.
2. The District Collector, Jogulamba Gadwal District.
3. The Revenue Divisional Officer, Gadwal.
4. The Tahsildar, Ileeja Mandal, Jogulamba Gadwal District.
5. Ileeja Municipality, Ileeja, Jogulamba Gadwal District, represented by its Commissioner.
6. E.Naganna Goud, S/o. E.Ramanna Goud aged 59 years, R/o. Ileeja Village and Mandal, Jcgulamba Gadwal District.

...Respondent(s)
(Response in-do-)

Counsel for the Petitioner : SRI N SREEDHAR REDDY

Counsel for the Respondent Nos.1 to 4 : GP FOR REVENUE

Counsel for the Respondent No.5 : N. PRAVEEN KUMAR

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 issue interim directions to 5th respondent to forthwith remove the illegal structures, including 5 Tin Sheet Dabbas, erected by 6th respondent in Sy. No. 1124 of Ileeja Village and Mandal, Jogulamba Gadwal District and to evict him from the land which is in his illegal occupation, pending disposal of WP.No.16347 of 2019, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following.
(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

The larger issue requires consideration is whether unofficial respondent is in encroachment of entire extent of land of 300 square yards as alleged by the petitioner.

However, by the proceedings dt.26.06.2019, which is culmination of the earlier round of litigation and the direction issued by this Court, the Commissioner of the respondent Municipality ordered that the unofficial respondent is in possession of 78.04 square yards in excess of 220 square yards assigned to him and therefore, he be vacated.

The learned counsel for the petitioner alleges that in spite of the order, unofficial respondent is not evicted and illegal structures made by him are not removed.

Pending consideration the writ petition, the respondents are directed to give effect of Proceedings dt.26.06.2019 and take possession of the land to an extent of 78.04 square yards and to remove any encroachments on the said extent of the land, including any structures made on the said extent of the land, within three weeks.

SD/- K. SAILESHI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, State of Telangana, at Secretariat, Hyderabad.
2. The District Collector, Jogulamba Gadwal District.
3. The Revenue Divisional Officer, Gadwal.
4. The Tahsildar, Ieeja Mandal, Jogulamba Gadwal District.
5. The Commissioner, Ieeja Municipality, Ieeja, Jogulamba Gadwal District.
6. E.Naganna Goud, S/o. E.Ramanna Goud aged 59 years, R/o. Ieeja Village and Mandal, Jcgulamba Gadwal District (RR 1 to 6 By RPAD).
7. One CC to SRI. N SREEDHAR REDDY, Advocate [OPUC].
8. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad [OUT].
9. One spare copy
ZEE

HIGH COURT

PNRJ

DATED:02/08/2019

ORDER

I.A.NO.1 OF 2019
IN
WP.No.16347 of 2019

DIRECTION



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