

(SHOW CAUSE NOTICE BEFORE ADMISSION)
HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
WEDNESDAY ,THE TWENTY SIXTH DAY OF SEPTEMBER TWO THOUSAND AND
EIGHTEEN
:PRESENT:

THE HONOURABLE SRI JUSTICE C.PRAVEEN KUMAR
WRIT PETITION NO: 34219 OF 2018

Between:

1. Smt R Vijaya Laxmi, W/o. Late R. Mohan Reddy, aged 56 years, Occ. House wife, R/o. H No. 7-1-108/A, Ameerpet, Hyderabad Rep by their GPA Holder, Sri D. Sreenivasa Rao S/o. D. Venkata Swamy, aged 47 years, Occ. business R/o. H No. 8-3-800/6/A, Flat no. 206, Sruthi Nilaya Apartments, Yellareddyguda, Ameerpet, Hyderabad
2. Sri R. Rajender Reddy, S/o. Late R. Mohan Reddy, aged 36 years Both are R/o. H No. 7-1-108/A, Ameerpet, Hyderabad Rep by their GPA Holder, Sri D. Sreenivasa Rao S/o. D. Venkata Swamy, aged 47 years, Occ. business R/o. H No. 8-3-800/6/A, Flat no. 206, Sruthi Nilaya Apartments, Yellareddyguda, Ameerpet, Hyderabad

Petitioners**AND**

1. The State of Telangana, Rep by its Principal Secretary, Revenue Department, Secretariat, Hyderabad.
2. The District Collector, Ranga Reddy District at Lakdikapool, Hyderabad
3. The Tahsildar, Kukatpally Mandal, Kukatpally Ranga Reddy District
4. The Deputy Tahsildar, Kukatpally Mandal, Kukatpally Ranga Reddy District
5. The Station House Officer, Kukatpally Police Station, Kukatpally Ranga Reddy District
6. The Kukatpally Councillor, Kukatpally, Ranga Reddy District
7. The Deputy Mayor, GHMC, Hyderabad
8. SIET EMPLOYEES COOPERATIVE HOUSING SOCEITY, (Retdd TA B No. 169, Yousufguda, Hyderabad Representation by its President
9. Tahsildar, Serilingampally mandal, Serilingampally Ranga Reddy District
10. The Station House Officer, Serilingampally PS, Serilingampally, Ranga Reddy District

Respondents

WHEREAS the Petitioners above named through their Advocate SRI AJAY KUMAR MADISETTY presented this 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 Nos. 3 to 6 in demolished the petitioner compound wall situated in Plot No.218 admeasuring 220 sq. yards situated in S nos. 12, 12/A and 13 situated at Guttala Begumpet Village, Seri Lingamaply Mandal, Ranga Reddy District is a private patta land without giving any notice and without issuing proceedings and without having power or authority is illegal and void and opposed to Article 14, 19, 21 and 300-A of Constitution of India and consequently to direct the respondents 3 to 5 to reconstruct the compound wall of the petitioner plot in question including granting damages to the petitioner herein and further direct not to interfere with the peaceful possession and enjoyment of the petitioner land without following due process of law;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri AJAY KUMAR MADISETTY Advocate for the Petitioners and learned Assistant Government Pleader for Revenue (TS), who takes notice on behalf of the respondents, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary, Revenue Department, The State of Telangana, Secretariat, Hyderabad.
2. The District Collector, Ranga Reddy District at Lakdikapool, Hyderabad
3. The Tahsildar, Kukatpally Mandal, Kukatpally Ranga Reddy District
4. The Deputy Tahsildar, Kukatpally Mandal, Kukatpally Ranga Reddy District
5. The Station House Officer, Kukatpally Police Station, Kukatpally Ranga Reddy District
6. The Kukatpally Councillor, Kukatpally, Ranga Reddy District
7. The Deputy Mayor, GHMC, Hyderabad

8. The President, SIET EMPLOYEES COOPERATIVE HOUSING SOCEITY, (Retdd TA B No. 169, Yousufguda, Hyderabad
9. The Tahsildar, Serilingampally mandal, Serilingampally Ranga Reddy District
10. The Station House Officer, Serilingampally PS, Serilingampally, Ranga Reddy District

are directed to show cause as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

IA NO: 1 OF 2018:

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 not to dispossess the petitioner herein from the Plot No. 218 admeasuring 220 sq. yards situated in S nos. 12, 12/A and 13 situated at Guttala Begumpet Village, Seri Lingamaply Ranga Reddy District, pending disposal of WP No. 34219 of 2018, on the file of the High Court.

THE COURT MADE THE FOLLOWING ORDER:

Notice before admission.

Learned Assistant Government Pleader for Revenue (TS) takes notice on behalf of the respondents.

As seen from the record, the petitioner claimed to be in possession of Plot No.218 admeasuring 220 sq. yards situated in Sy.Nos.12, 12/A and 13 of Guttala Begumpet village, Serilingampally Mandal, Ranga Reddy District.

Questioning the action of the respondents in trying to demolish the compound wall of the petitioner, this writ petition is filed. One of the main ground urged by the learned counsel for the petitioner is that the respondents 3 to 5 have no jurisdiction to interfere with the subject property.

On the other hand, the learned Assistant Government Pleader would submit that taking advantage of the orders passed earlier, the petitioner herein is trying to encroach on to the land in Sy.No.30 of Allapur village, which is a Sikham land. But petitioner strongly denies his encroachment on to the Government land situated in Sy.No.30. On the other hand states that he is constructing the compound wall in respect of his plots only.

Learned Asst. Government Pleader would submit that if the petitioner is in possession and is raising constructions within his land, the question of interference by the official respondents would not arise and that the officials will object only if the petitioner encroaches on to the Government land (FTL).

Hence, the respondents shall not interfere with the property in dispute, which the petitioner is in possession of except in accordance with law. However, if the petitioner encroached on to the Government land, the respondents shall take steps for his eviction in accordance with law. In view of the earlier orders passed, the petitioner also shall not raise any construction in the disputed property until further orders.

**SD/- T. RANGA BABU
ASSISTANT REGISTRAR**

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, Revenue Department, The State of Telangana, Secretariat, Hyderabad.
2. The District Collector, Ranga Reddy District at Lakdikapool, Hyderabad
3. The Tahsildar, Kukatpally Mandal, Kukatpally Ranga Reddy District
4. The Deputy Tahsildar, Kukatpally Mandal, Kukatpally Ranga Reddy District
5. The Station House Officer, Kukatpally Police Station, Kukatpally Ranga Reddy District
6. The Kukatpally Councillor, Kukatpally, Ranga Reddy District
7. The Deputy Mayor, GHMC, Hyderabad

8. The President, SIET EMPLOYEES COOPERATIVE HOUSING SOCEITY, (Retdd TA B No. 169, Yousufguda, Hyderabad
9. The Tahsildar, Serilingampally mandal, Serilingampally Ranga Reddy District
10. The Station House Officer, Serilingampally PS, Serilingampally, Ranga Reddy District (1 to 10 by RPAD along with a copy of petition and affidavit)
11. One CC to SRI. AJAY KUMAR MADISETTY Advocate [OPUC]
12. Two CCs to AGP FOR REVENUE (TG) ,High Court Of Judicature at Hyderabad. [OUT]
13. one spare copy

HIGH COURT

CPK, J

DATED:26/09/2018

NOTICE BEFORE ADMISSION

WP.No.34219 of 2018

DIRECTION



A handwritten signature or mark, possibly a checkmark or a stylized signature, located below the stamp.