
(2022) 11 TEL CK 0116
In the Telangana High Court
Case No : Writ Petition No. 21084 Of 2008

M.Subhashini

APPELLANT

Vs

District Collector

RESPONDENT

Date of Decision : 30-11-2022

Acts Referred:

A.P. Assigned Land (Prohibition and Transfers) Rules, 1977 — Rule 3

Citation : (2022) 11 TEL CK 0116

Hon'ble Judges : K.Sarath, J

Bench : Single Bench

Advocate : K Govind

Final Decision : Disposed Of

Judgement

1. This writ petition is filed for the following relief:

"....to issue writ order or direction more particularly one in the nature of Writ of Mandamus by declaring the action of the respondents to interfering and threatening the petitioner to demolish the existing boundary stones and fencing in plot bearing Nos.60 and 61 admeasuring 900 Sq.Yards situated in Sy.No.244/86 at Pedda Amberpet village, Hayathnagar Mandal,R.R.District without issuing any show-cause notice, or without due process of law".

2. Heard the learned Counsel for the petitioner and learned Government Pleader for Revenue.

3. Learned Counsel for the petitioner submits that the respondents are trying to demolish the existing boundary stones and fencing in plot bearing Nos.60 and 61 admeasuring 900 Sq.Yards situated in Sy.No.244/86 at Pedda Amberpet village, Hayathnagar Mandal, R.R.District without issuing any show-cause notice, or without following due process of law and the same is illegal and against the principles of natural justice.

4. At the time of admission, this Court has granted interim Orders on 05.11.2008

and noticed that no notice was issued to the petitioner, who is in possession of the land, as contemplated under Rule-3 of the A.P. Assigned Land (Prohibition and Transfers) Rules, 1977. Even after lapse of more than fourteen years the respondents were did not chose to file counter in this matter.

5. In view the same, the Writ Petition is disposed of, directing the respondents not to interfere with the possession of the petitioner, without following the due process of law. If they want to do so, the respondents are directed to issue notice to the petitioner and after hearing the petitioner, pass appropriate orders.

6. Miscellaneous petitions pending if any, shall stand closed. There shall no order as to costs.