

(2022) 06 TEL CK 0068
In the Telangana High Court
Case No : Writ Petition No. 24084 Of 2022

Nallamala Vijaya

APPELLANT

Vs

State Of Telangana

RESPONDENT

Date of Decision : 02-06-2022

Acts Referred:

Citation : (2022) 06 TEL CK 0068

Hon'ble Judges : Surepalli Nanda, J

Bench : Single Bench

Advocate : Nageshwar Rao Pujari

Final Decision : Allowed

Judgement

1. Heard the counsel for the petitioner. Heard the learned Assistant Government Pleader for the 1st respondent and Sri C.Kalyan Rao, learned standing counsel for the 2nd respondent.

2. The case of the petitioners, in brief, is that petitioner No. 1 is the absolute owner and peaceful possessor of land admeasuring Ac.0.0850 Gts. in Sy.No. 368/A1, situated at Jeella Cheruvu Village and Gram Panchayat, Kanumanchi Mandal, Khammam District, Telangana and it is an ancestral property. It is further contended that the petitioner No. 1 constructed a House in the year 1996 in the subject premises and the 2nd respondent Gram Panchayat also assigned House No. 4-156, which is located in Gopalraopeta Village, Kusumanchi Mandal, Khammam District, Telangana and subsequently the petitioners paid property tax regularly to the subject premises. The subject property is in possession of the petitioners for the last 25 years and for the last one week the 2nd respondent is frequently threatening the petitioners to demolish the petitioners' subject property without issuing any notice.

3. The Counsel for the 2nd respondent on the other hand contends that the petitioners approached the Court only under apprehension and the 2nd respondent authority will not proceed against the petitioners without following

the procedure established by law.

4. Under these circumstances, taking into consideration the above referred submissions, the writ petition is allowed, directing the 2nd respondent not to dispossess the petitioners from the subject property and not to demolish the petitioners' property bearing H.No. 4-156, Gopalaraopeta Village, Kusumanchi Mandal, Khamma District, Telangana, without following due process of law.

5. Pending miscellaneous applications, if any, shall stand dismissed.