

THE HON'BLE SRI JUSTICE MUMMINENI SUDHEER KUMAR

**WRIT PETITION Nos.25296, 25439, 25465, 25472,
25669 AND 25840 of 2022**

COMMON ORDER:

Heard learned counsel for the petitioners and learned Assistant Government Pleader for Revenue appearing for the respondents. Since the issue involved in these writ petitions is similar, all these writ petitions are disposed of by a common order.

2. The grievance of the petitioners in all these writ petitions is that they are in possession of various extents of land situated in Gandhi Nagar Village, Ghanpur Mandal Jayashankar Bhupalpally District. Having constructed their houses, all the petitioners are in possession of their respective houses by virtue of their registered sale deeds. It is also the case of the petitioners that the said houses are assessed to tax and they have been paying property tax to their respective Gram Panchayats. While so, the respondents placing reliance on the proceedings issued by respondent No.2 in Rc.No.E2/4753/2015, dated 15.06.2016, are trying to dispossess the petitioners from their respective houses.

3. According to learned counsel for the petitioners, as per the proceedings dated 15.06.2016, the land situated in Survey Nos.204 admeasuring Acs.2.00 situated at Mailaram Village, Ghanpur Mandal, was allotted for construction of new Fire Station. It is further contended that though the subject land, which is in occupation of the petitioners in this batch of matters, is nothing to do with the said land and the houses of the petitioners are situated in Ghanpur Village, the respondents are trying to dispossess the petitioners by placing reliance on the said proceedings dated 15.06.2016 issued by respondent No.2.

4. Learned Assistant Government Pleader for Revenue, on instructions, submitted that land admeasuring Acs.2.00 in Survey No.204 situated at Mailaram Village, Ghanpur Mandal, was allotted for constructions of new Fire Station through proceedings dated 15.06.2016 and the said land was handed over to the Station Fire Officer, Ghanpur, under a cover of panchanama, dated 17.08.2016, by the Mandal Revenue Inspector, Ghanpur, but the work of construction has not yet been taken up and the land is lying vacant. It is further stated that during the field enquiry, encroachments over the said land were noticed and while the respondents were taking steps by

initiating the proceedings under the Telangana Land Encroachment Act, 1905 (for short, 'the Act, 1905'), the petitioners have approached this Court with a view to interdict the legal proceedings that are initiated against them.

5. From the submissions made on behalf of learned Assistant Government Pleader, it is evident that the land which is said to be allotted for construction of Fire Station is in occupation of some third parties and a legal process is sought to be initiated for evicting the persons who encroached into the said land by initiating the proceedings under the Act, 1905. The contention of the petitioners that they have been in possession of the subject land by constructing their respective houses is not denied.

6. In view of the same, the writ petitions are disposed of directing the respondents not to interfere with the peaceful possession of the petitioners subject houses or dispossess them from their respective houses without following due process of law.

Miscellaneous Petitions, if any, pending in the writ petitions shall stand closed.

MUMMINENI SUDHEER KUMAR, J

Date:17.06.2022
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