

(SHOW CAUSE NOTICE BEFORE ADMISSION)
HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)

TUESDAY, THE FOURTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HON'BLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION NO: 4158 OF 2023

Between:

1. Kola Surender, S/o. Ramaswamy,
2. Kola Sandhya Rani, W/o. Surender,

...Petitioners

AND

1. The State of Telangana, Rep. by its Principal Secretary, Panchayat Raj & Rural Development Department, Telangana Secretariat, Hyderabad.
2. The District Collector, Warangal Rural, Warangal Rural District.
3. The District Panchayat Officer, Warangal, Warangal Rural District.
4. The Mandal Parishad Development Officer, Ghanapuram Mandal, Warangal Rural District.
5. The Tahsildar, Ghanapuram Mandal, Warangal Rural District.
6. The Panchayat Secretary, Ghanapuram Grampanchayat, Warangal Rural District.
7. Vadlakonda Narayana Goud, S/o. Not known, Ghanapuram Village & Mandal, Warangal Rural District.

...Respondents

WHEREAS the Petitioner above named through their Advocate Sri. JALLI NARENDAR 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 to declare the action of the 2nd respondent in Sealing the house property bearing No.4-50/2/1, situated at Ghanpur Village & Mandal, Warangal Rural District, without following due procedure either in the Panchayat Raj Act or in the Land Grabbing, Act, as illegal, arbitrary and violation of Article 300-A of the Constitution of India and consequently direct the respondents to permit the petitioners to enjoy their house property bearing No.4-50/2/1, situated at Ghanpur Village & Mandal, Warangal Rural District as usual.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri. JALLI NARENDAR, Advocate for the Petitioner, directed issue of notice to the Respondents herein to show cause as to why this writ petition should not be admitted in the circumstances set out in the petition and the affidavit filed in Writ Petition;

You viz:

1. The Principal Secretary, Panchayat Raj & Rural Development Department, State of Telangana, Telangana Secretariat, Hyderabad.

2. The District Collector, Warangal Rural, Warangal Rural District.
3. The District Panchayat Officer, Warangal, Warangal Rural District.
4. The Mandal Parishad Development Officer, Ghanapuram Mandal, Warangal Rural District.
5. The Tahsildar, Ghanapuram Mandal, Warangal Rural District.
6. The Panchayat Secretary, Ghanapuram Grampanchayat, Warangal Rural District.
7. Vadlakonda Narayana Goud, Ghanapuram Village & Mandal, Warangal Rural District.

are directed to show cause on or before 28.03.2023 to which date the case stands posted 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 2023

Petition under Section 151 of CPC praying that in the circumstances stated in the affidavit filed in support of the Writ Petition, the High Court may be pleased to direct the respondents not to resort any demolition of the house property bearing No.4-50/2/1, situated at Ghanpur Village & Mandal, Warangal Rural District, pending disposal of Writ Petition No.4158 of 2023, on the file of the High Court.

THE COURT MADE THE FOLLOWING ORDER:

"Notice Before Admission.

Learned Government Pleader for Panchayat Raj accepts notice on behalf of respondent Nos.1 to 3.

Learned Government Pleader for Revenue accepts notice on behalf of respondent Nos.2 to 5.

Mr.Kishore Kumar, learned Standing Counsel accepts notice on behalf of respondent Nos.4 to 6.

The learned counsel for the petitioners is permitted to take out personal notice to respondent No.7 and file proof of same.

The case of the petitioner is that he has purchased the Grama Kantam land to an extent of 187 square yards on 15.04.1990 and thereafter he constructed the house bearing No.4.50/2/1, Ghanapur Village and Mandal, Warangal Rural District and the front portion is fixed with the shutter for his fabrication business and continuously paying the property tax to the Gram Panchayat. His grievance is that the 2nd respondent- District Collector, without issuing any proceedings and without following due procedure as laid down under law, straight away directed the Panchayat Secretary to seize the property of the petitioner.

In the circumstances, there shall be interim direction as prayed for.
Post on 28.03.2023."

SD/- A.V.S. PRASAD
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, Panchayat Raj & Rural Development Department, State of Telangana, Telangana Secretariat, Hyderabad.
2. The District Collector, Warangal Rural, Warangal Rural District.
3. The District Panchayat Officer, Warangal, Warangal Rural District.
4. The Mandal Parishad Development Officer, Ghanapuram Mandal, Warangal Rural District.
5. The Tahsildar, Ghanapuram Mandal, Warangal Rural District.
6. The Panchayat Secretary, Ghanapuram Grampanchayat, Warangal Rural District.
7. Vadlakonda Narayana Goud, Ghanapuram Village & Mandal, Warangal Rural District (RR 1 to 7 by RPAD along with a copy of petition and affidavit).
8. One CC to Sri. JALLI NARENDAR, Advocate [OPUC].
9. Two CCs to GP FOR PANCHAYAT RAJ, High Court for the State of Telangana at Hyderabad [OUT].
10. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad [OUT].
11. One spare copy.