

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WRIT PETITION No.37013 OF 2015

ORDER :

The petitioner questions general administrative directions given to the Thasildar, Shaikpet Mandal, by the Revenue Divisional Officer, Secunderabad Division, dated 15.10.2015. The said directions appear to have been issued as per the decision taken in the administrative meeting and the petitioner claims to be in possession of 500 sq. yards in T.S.No.1, Block – B, Ward No.9 co-related to Survey No.403/P of Shaikpet Village.

It appears that the petitioner already filed a suit, O.S.No.2624 of 2005 before the VI Junior Civil Judge, Hyderabad and also O.S.No.4122 of 2008 before the VII Junior Civil Judge, Hyderabad and obtained interim injunction. The petitioner also stated to have been filed O.S.No.3517 of 2010 before the VII Junior Civil Judge, Hyderabad for permanent injunction and that the said suit was dismissed on 15.06.2015. Aggrieved thereby, the petitioner stated to have been filed A.S.No.163 of 2015 together with I.A.No.1048 of 2015 before the IX Additional Chief Judge, Hyderabad.

Learned counsel for the petitioner states that the said IA was heard and reserved for orders. In the meanwhile, the petitioner applied for regularization of the land under G.O.Ms.No.59, dated 30.12.2014. However, under a memo dated 14.09.2015 the petitioner's request for regularization was rejected by the Tahsildar, Shaikpet Mandal as per the decision of the committee. The petitioner contends that on the basis of the note to Tahsildars of Secunderabad Division the revenue authorities are allotting the said land to the GHMC and taking further steps.

Evidently, as per the findings of the civil Court in O.S.No.3517 of 2010 the possession is with the Government and in view of that the suit was dismissed and the petitioner's application for regularization also has been dismissed. It is for the appellate Court which is seized of appeal against the said decree, to consider this matter and pass appropriate orders. The challenge in this writ petition to the administrative note, which is inter-departmental, is clearly impermissible as the said general directions in the administrative note are not directed against any individual

nor it decided any rights of the individual including the petitioner. I therefore, do not see any reason to entertain the writ petition.

Accordingly, the writ petition is dismissed. No order as to costs.

Miscellaneous petitions pending in this writ petition, if any, shall stand closed.

VILAS V.AFZULPURKAR, J

16.11.2015

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DATE: 16.11.2015

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