

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

WRIT PETITION No.5062 of 2015

Between:

R.Srinivasa Rao and nine others.

... Petitioners

And

The State of Telangana,
Rep. by its Principal Secretary,
Revenue Department, Secretariat,
Hyderabad and two others.

... Respondent(s)

WRIT PETITION No.21503 of 2015

Between:

S.Sridhar and another.

... Petitioners

And

The State of Telangana,
Rep. by its Principal Secretary,
Revenue Department, Secretariat,
Hyderabad and two others.

... Respondent(s)

DATE OF JUDGMENT PRONOUNCED: 22nd July, 2015.

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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| <u>1</u> | <u>Whether Reporters of Local newspapers</u>
<u>may be allowed to see the Judgments?</u> | <u>Yes/No</u> |
| - | | |
| <u>2</u> | <u>Whether the copies of judgment may be</u>
<u>marked to Law Reports/Journals</u> | <u>Yes/No</u> |
| - | | |
| <u>3</u> | <u>Whether Their Ladyship/Lordship wish to</u>
<u>see the fair copy of the Judgment?</u> | <u>Yes/No</u> |

THE HONOURABLE SRI JUSTICE VILAS V. AFZULPURKAR

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WRIT PETITION Nos.5062 AND 21503 of 2015

COMMON ORDER:

Petitioners in both writ petitions question the notices dt.03.01.2015 issued to them by the Deputy Collector and Tahsildar in pursuance of the G.O.Ms.No.58 and 59, dt.30.12.2014 wherein they were informed that they are in unauthorized occupation of government lands and they were called upon to utilize opportunity of regularization under G.O.Nos.58 and 59, dt.30.12.2014.

In the said notices the petitioners are directed to produce necessary documents in proof of their occupation along with appropriate application for regularization.

The petitioners assert their title to the property on the ground that it is their private land and there is no governmental interest involved and that they are therefore questioning the said notices.

When W.P.No.5062 of 2015 came up before this Court on 03.03.2015, while admitting the same this Court gave direction in WPMP.No.7654 of 2015 as follows:

“Inasmuch as notices given to the petitioners are only to avail a scheme under G.O.Ms.Nos.58 and 59 Revenue (Assignment-B) Department, dt.30.12.2014, it is open for the petitioners if so desire to submit their representations/objections as to in what manner, the conditions of the above said G.Os. are not applicable to their cases.”

Thereafter W.P.No.21503 of 2015 was listed before this Court.

After hearing the learned Counsel for either side, this Court is of the view that the impugned notices given to the petitioners are only giving them option to exercise in case they seek regularization under G.O.Ms.No.58 and 59, dt.30.12.2014. The said notices do not compel any of the petitioners to comply with the said G.O.

I, therefore, see no infringement of petitioners' rights to the property in any manner as it is the option given to them to apply or

not. Since the petitioners claim that they have already filed objections ascertaining their title to the land, nothing survives for adjudication in these writ petitions. Petitioners are free to take steps as permissible under law in support of their claim that the lands in question are private lands and no governmental interest is involved.

With the above observation, these Writ Petitions are disposed of. There shall be no order as to costs.

As a sequel, miscellaneous applications pending if any, shall stand dismissed.

VILAS V. AFZULPURKAR, J

22nd July, 2015.
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