

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

PRADESH
(Special Original Jurisdiction)

FRIDAY, THE TENTH DAY OF JULY
TWO THOUSAND AND FIFTEEN

PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No. 21251 of 2015

BETWEEN

E.Dhana Laxmi and another

... PETITIONERS

AND

The State of Telangana, Rep. by its Principal Secretary (Department of Revenue), A.P. Secretariat Building, Hyderabad and others.

...RESPONDENTS

The Court made the following:

-
-

ORDER:-

Heard.

2. Petitioners seek allotment of Ac.2-00 guntas of land in survey No.64 of Pedda Amberpet Village, Hayatnagar Mandal, Ranga Reddy District for the purpose of construction of municipal office building, Vegetable Market, Meet Market, and Slaughter House. Petitioners state that the land in survey No.64/5, admeasuring Ac.4-38 guntas in the aforesaid Village was identified and the Tahsildar, Hayatnagar Mandal, also submitted the land availability report to the District Collector, Ranga Reddy on 20.05.2015. However, the

Deputy Collector and the Law Officer of the Ranga Reddy District Collectorate is stated to have sent a letter dated 19.06.2015 to the Deputy Collector and

the Tahsildar, Hayatnagar, informing that the aforesaid land in survey No.64/5 is recorded as Venkataiah Kunta Shikam Sarkari and was resumed under the provisions of POT and hence, cannot be said to be available for allotment. The Tahsildar was accordingly asked to identify the suitable land. Petitioners contend that the assumption of the Deputy Collector that the land is Venkataiah Kunta Shikam Sarkari is incorrect and he seeks to produce the material in support of the said assertion.

3. The said communication of the Deputy Collector and Law Officer, which is subject matter of this writ petition, is not an order by a competent authority in considering and rejecting petitioner's request for allotment. At best, the said letter is only an internal communication between one Deputy Collector sitting in the Collectorate, Ranga Reddy to another Deputy Collector and the Tahsildar, Hayatnagar Mandal. The report is already sent by the Tahsildar and Deputy Collector, Hayatnagar to the Collectorate and if the petitioners seek to submit any documents and additional decisions for seeking allotment of the said land in survey No.64/5, it is open for them to make appropriate representation before the District Collector. However, the impugned proceeding of the Deputy Collector and Law Officer, Ranga Reddy is not a proceeding which decides the rights of the parties and it is merely an internal communication. Hence, the writ sought for is clearly misconceived.

4. Writ petition is, accordingly, disposed of. Petitioners are however at liberty to make appropriate representation before the District Collector in support of their claim for allotment of the aforesaid land and as and when such application is received by the District Collector, he shall consider the same in the light of the report of the Tahsildar and also take into consideration the revenue records and the comments of the Deputy Collector and Law Officer, Ranga Reddy District and take appropriate decision in the matter expeditiously.

As a sequel, the miscellaneous applications, if any, shall stand

closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

July 10, 2015
LMV