

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

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WRIT PETITION No.35409 of 2015

BETWEEN

Nipunge Sudhakar.

... PETITIONER

AND

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

...RESPONDENTS

DATE OF JUDGMENT PRONOUNCED: 17.11.2015

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

1. Whether Reporters of Local newspapers may be No
allowed to see the Judgments?
2. Whether the copies of judgment may be marked No
to Law Reporters/Journals?
3. Whether Their Ladyship/Lordship wish to see the No
fair copy of the Judgment?

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ORDER:

This writ petition is filed questioning the action of the respondents in threatening to dispossess the petitioner from the land admeasuring Ac.13.29 guntas in Sy.No.29/A and Ac.3.16 guntas in Sy.No.29/B respectively situated a Burhanpur village, Bela Mandal, Adilabad District and a direction is sought against the fourth respondent not to dispossess the petitioner.

2. Learned Government Pleader, who was required to get instructions, submits on the basis of instructions, now received from the fourth respondent, that the patta of the aforesaid land stands in the name of Smt Nipunge Nagu Bai, the predecessor in interest of the petitioner. However, since the said land was found to be in possession of one Sri Vittal, the Special Deputy Collector (Tribal Welfare), Utnoor initiated a case under Land Transfer Regulation, 1959 and decided the case in favour of Smt Panchapula W/o. Sri Vittal. Aggrieved thereby, Smt Nipunge Nagu Bai preferred an appeal before the Agent to Government (Project Officer, ITDA, Utnoor) and the said appeal was, however, dismissed under order dated 06.12.2008 confirming the order passed by the Special Deputy Collector.

3. Petitioner claims the said land on the basis of being a legatee under the Will dated 08.12.2014 executed by Smt Nipunge Nagu Bai and claims to be in possession.

4. However, the instructions received from the fourth respondent shows that Smt Panchapula is in possession of the said land and the petitioner is no way concerned with

the said land, as he is neither in possession of the land nor he is a pattadar of the said land. Apparently, it is evident that the petitioner has suppressed all the above material information in the affidavit filed in support of the writ petition and has not disclosed any of these facts and events.

On that ground alone, the writ petition is liable to be dismissed for suppression of relevant information from the notice of this Court.

Hence, the writ petition is dismissed with costs of Rs.5,000/- (Rupees Five Thousand only) payable by the petitioner to the Secretary, High Court legal Services Authority within a period of four (4) weeks from today. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

November 17, 2015

DSK