

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

-
HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

AND

HON'BLE SRI JUSTICE S.V. BHATT

-
WRIT APPEAL No. 1097 OF 2015

Date: 19.01.2016

Between:

Smt. Vasam Tulasamma.

... Appellant

And

The State of Telangana, rep., by its Principal Secretary,
Revenue Department,
Hyderabad & others.

... Respondents

**HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
HON'BLE SRI JUSTICE S.V. BHATT**

WRIT APPEAL No. 1097 OF 2015

PC: (per the Hon'ble the Acting Chief Justice Dilip B. Bhosale)

This appeal is directed against the order, dated 15.09.2014, passed in W.P.No.23679 of 2014 filed by the appellant.

In the writ petition, the appellant had challenged the order of the Joint Collector, who, according to the appellant, did not consider the survey record and conducted enquiry and has erroneously declared that the appellant did not have any land in Sy.No.80 of Hyderkhanguda, Shanthinagar, Nalgonda District.

According to the appellant, she is in possession of Ac.2.26 guntas in Sy.No.80. Her claim has been considered by this Court on two earlier occasions and this is the third round of the appellant before the Court. Learned Single Judge, after considering the entire material placed on record, in paragraph Nos.5 and 6 observed thus:

“Apart from that, having sold the land in Sy.Nos.79 and 80, the husband of the petitioner filed a suit, O.S.No.12 of 2007, for perpetual injunction to the extent of 900 sq. yards before the Junior Civil Judge, but the same was dismissed. Thus, the petitioner was not found to be in possession even in the said proceedings. Apart from that, the husband of the petitioner also filed WP.No.2961 of 2010 before this Court against the Commissioner Survey Settlement as well as the District Collector seeking relief against unlawful dispossession of the land in Sy.No.80 to an extent of Ac.2.20 guntas. This Court, though initially granted interim order, the same was vacated on 18.02.2010 on finding that the petitioner therein has failed to

prove his possession. WA.No.878 of 2010 filed against the said order was also dismissed. Thus, the Joint Collector, under impugned order, found, on the basis of detailed enquiry into the revenue record and other records, that there is no land left for the petitioner in Sy.No.80 in view of adjudications, referred to above and hence, rejected the representation of the petitioner.

It is evident from the above discussion that the petitioner has been repeatedly approaching this Court and perpetuating the litigation in spite of finality having been reached to the various proceedings under the land grabbing case as well as before this Court, as referred to above. On a deeper examination also, I am not satisfied that the petitioner has any remotely sustainable claim in view of the adjudication already having reached finality against her, as referred to above. The order impugned, passed by the Joint Collector, therefore, being clearly based on merits and revenue records, I find no reason to entertain the writ petition.”

From perusal of the observations made by learned Single Judge, which are not in dispute before us, it is clear that the appellant has lost in all the litigations so far. In support of the contention that still the appellant is in possession of Ac.2.26 guntas of land in Sy.No.80, learned counsel for the appellant could not and did not bring any material before us or demonstrate that she is in possession of any part of land in Sy.No.80. Therefore, we do not find any reason to interfere with the impugned order.

Writ appeal is dismissed.

Miscellaneous petitions, if any, shall also stand dismissed.

DILIP B. BHOSALE, ACJ

S.V. BHATT, J