

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 29700 of 2016

ORDER:

- 1) Heard learned counsel for the petitioner and Government Pleader for Revenue. With the consent of both the parties, the writ petition is heard at the admission stage itself.
- 2) The present writ petition came to be filed seeking issuance of writ of mandamus to declare the inaction of the respondent Nos. 2 and 3 in handing over the possession of land admeasuring 21,324 square meters in Sy.No.4P, 5P, 8P and 12 of Gachibowli Village, Serilingampally Mandal, Ranga Reddy District, as per the orders of the Special Officer, Competent Authority, Urban Land Ceiling, Hyderabad, as illegal and contrary to law.
- 3) Though various grounds are raised, learned counsel for the petitioner mainly submits that though the petitioner made a representation in the month of May, 2015 requesting for release of retainable area as per the memo dated 13.08.2012 issued by the Special Officer & Competent Authority, Urban Land Ceiling, Hyderabad, till date no orders are passed.
- 4) Government Pleader for Revenue submits that in case the petitioner is entitled to the land, the authorities shall pass orders in accordance with law.
- 5) Before proceeding further, it would be useful to refer to the contents of memo dated 13.08.2012, which reads as under:

“The matter has been verified with reference to the records available in this office. Smt. B.Lingamma W/o. Rajaiah filed declaration, declaring the Sy.Nos. 1,2,3,4,5,7,8,12,72, 74, 75, 78, 82, 98, 99, 101, 102, 111, 113, 126 to an extent of Ac.36.23 gts., situated at Gachibowli Village in CC No.H/ 5306/ 76. After following due procedure, the declarant was determined as surplus land holder to an extent 1,26,778.29 square meters in Y.Nos. 1, 2/ P, 3, 4/ P, 5/ P, 7, 72, 74, 75, 78, 82, 98, 99, 101, 102, 111, 113 and 126 and the land in Sy.Nos.2/ P, 4/ P, 5/ P, 8 and 12 to an extent of 21, 234.10 square meters situated at Gachibowli village, Serilingampally Mandal, Ranga Reddy District is allowed as retainable area in CC No. H/ 5306/ 76 to the declarant Smt. Bandaru Lingamma as shown in the sub-division record attested by the Inspector of Survey.”

6) Basing on the said memo, the petitioner is alleged to have made a representation requesting the authorities to hand over the retainable area as shown in the Sub-Division record attested by the Inspector of Survey.

7) Having regard to the above, respondent No.2-the District Collector shall pass appropriate orders on the representation made by the petitioner requesting to hand over the retainable area ie. land admeasuring 21,324 square meters in Sy.No.4P, 5P, 8P and 12 situated at Gachibowli Village, within a period of four (04) weeks from the date of receipt of a copy of the order, in accordance with law, after hearing the petitioner and the aggrieved persons, if any.

8) Accordingly, the Writ Petition is disposed of. There shall be no order as to costs. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE C. PRAVEEN KUMAR

20.10.2016

Note: Issue C.C. in five days.

B/o

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