

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 P. NAVEEN RAO

-

Writ Appeal No.302 of 2016

Date: 5.7.2016

Between:

The State of Telangana,
Represented by the Principal Secretary,
Home Department,
Hyderabad and others.

... Appellants

And

Parvath Singh,
Hyderabad.

... Respondent

**HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
HON'BLE SRI JUSTICE P. NAVEEN RAO**

Writ Appeal No.302 of 2016

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

Heard Mr. J. Ramachandra Rao, learned Additional Advocate General for the State of Telangana for the appellants and Mr. Vedula Venkataramana, learned Senior Counsel for the respondent.

This writ appeal is directed against the order passed in W.P.M.P. No. 18037 of 2016 in Writ Petition No. 14482 of 2016 filed by the respondent, which reads thus:

“Having regard to the order dated 21.05.2015 in WPMP No. 18842 of 2015 in W.P. No. 14426 of 2015 suspending the proceedings dated 07-05-2015 of 3rd respondent and since the material on record reveals that proceedings under the Urban Land Ceiling and Regulation Act, 1976 abated on account of adoption of the Urban Land Ceiling Repeal Act, 1999 on 27-03-2008, and possession of the subject land was never taken while the said Act was in force, there shall be interim direction as prayed for.”

On 29.4.2016, after recording contentions of learned counsel for the parties, we issued the following direction:

“The Joint Director, Survey, Settlement and Land Records, Government of Telangana, shall personally conduct survey of the land, as mentioned in the prayer

clause of the writ petition (W.P.No.14482 of 2016), before the next date in the presence of the writ petitioner with an advance notice to him. It is needless to mention that the Joint Director shall give at least 72 hours notice to the writ petitioner before carrying out the survey/measurements of the land so as to find out whether the ice factory, as claimed by the writ petitioner, situate in the land in dispute. He shall submit his report on the next date.

Till the next date of hearing, we are modifying the interim order, dated 27.04.2016, impugned in this appeal by directing the parties to maintain status quo as on the date of filing of the writ petition.”

The Joint Director has conducted survey and submitted report dated 27.6.2016 in a sealed cover. We have perused the report. Having regard thereto, we confirm the order of status-quo, pending hearing and final disposal of W.P.M.P. No. 18037 of 2016 in Writ Petition No. 14482 of 2016.

It is needless to mention that the appellants can apply for expeditious hearing of the writ petition itself and if any such prayer is made, learned Single Judge may consider the same in the light of peculiar facts and circumstances of the case.

Mr. J. Ramachandra Rao, learned Additional Advocate General, at this stage, submits that the appellants shall file counter affidavit in the writ petition/W.P.M.P. within a period of two weeks from today. His statement is recorded and accepted.

The report submitted by the Joint Director, Survey, Settlement and Land Records, Government of Telangana, is directed to be kept in a sealed cover and placed before learned

Single Judge for his perusal. It is open to the parties to make an application for copy of the report before learned Single Judge.

The writ appeal is accordingly disposed of.

Consequently, pending miscellaneous petitions shall also stand closed.

DILIP B.BHOSALE, ACJ

P. NAVEEN RAO, J

Date: 5th July, 2016

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