

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 25218 of 2001

ORDER:

Heard learned Counsel for the petitioners and learned Counsel for the respondents.

This Writ Petition was filed by the first petitioner-Association challenging G.O.Ms.No.538, MA & UD(H2) Dated 29.10.2001 in classifying the land in Sy.No.67 of Raidurg Nav Khalsa Village, Ranga Reddy District as 'Public and Semi Public use and part of water bodies'.

The members of the first petitioner-Association purchased various plots admeasuring varying extents in Sy.No.67 of Raidurg Nav Khalsa Village in Ranga Reddy District in the year 1985. The total extent of the land is Ac.3.24 guntas. In the year 1989, the said land was included in Zonal Area of Hyderabad Urban Development Authority and a preliminary notification was issued on 18.5.1989 inviting objections from the public with regard to the draft master plan of Puppalaguda zone. The land in Sy.No.67 was classified as 'Public and Semi Public Use'. The petitioner-association submitted a representation to classify the said land as residential zone. The objection of the petitioner was rejected and a notification was issued reserving the said land for 'public and semi public use', as a result of which, the members of the first petitioner-association could not make any construction in the land purchased by them. The petitioner-association submitted a

representation on 26.4.1999 seeking change of land use. The petitioner was asked to pay processing charges by letter dated 23.11.1999 as their application was under examination. Ultimately the first respondent addressed a letter to the fourth respondent on 7.2.2000 rejecting the request of the petitioner-association on the basis of the suggestion made by the fourth respondent. The fourth respondent in turn communicated said decision by letter dated 7.7.2000. Thereafter the petitioner-association submitted another representation to the first respondent on 4.12.2000, on basis of which the first respondent issued another letter to the fourth respondent on 18.12.2000 by directing the authorities to inspect the site and furnish technical remarks. In the meanwhile Cyberabad Urban Development Authority was constituted and the subject land was included in the said authority. A draft master plan was notified on 28.06.2001 and the petitioner-association submitted its objections. Challenging the draft master plan published in A.P. Gazettee vide G.O.Ms.No.538, dated 29.10.2001, the present Writ Petition was filed.

In view of abolition of Cyberabad Development Authority, the subject land was taken by Hyderabad Urban Development Authority, and also included in Greater Hyderabad Municipal Corporation. In view of the fact that the subject land is earmarked for 'public and semi public use and part of water bodies', if the petitioners are aggrieved with the said classification, it is left open to them to submit a fresh representation, more so keeping in view

the formation of new State, and subsequent developments. The representation so submitted by the petitioners shall be considered by the respondents on its own merits.

In view of the foregoing discussion, the Writ Petition is disposed of without going into the rival contentions raised by the learned Counsel on either side.

Miscellaneous petitions pending consideration if any in the Writ Petition shall stand closed in consequence. No order as to costs.

JUSTICE A.RAMALINGESWARA RAO

DATED 1ST AUGUST, 2016.
Msnr_x

