

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

-
WRIT PETITION No.23789 OF 2016

ORDER :

It is the case of the petitioners that the 2nd petitioner purchased plot No.12 part in Sy.No.128 admeasuring 400 sq.yds together with two small rooms bearing H.No.12-13-853/12 in the name of his sons namely A.Ravi Shanker and A.Karthik from the original pattadar and owner Sri B.Venkat Rao vide registered sale deed No.131/2003, dated 27.01.2003, the 1st petitioner purchased plot No.26 part in Sy.No.129 admeasuring 353.33 sq.yds together with two small rooms bearing H.No.12-13-853/26, vide registered sale deed No.1251/2002, dated 04.07.2002, 3rd petitioner purchased plot No.27 part in Sy.No.129 admeasuring 206.88 sq.yds together with two small rooms bearing H.No.12-13-853/27, vide registered sale deed bearing No.1498/2002, dated 12.08.2002, the 4th petitioner purchased plot No.1 part in Sy.No.129, admeasuring 216.66 sq.yds together with two small rooms bearing H.No.12-13-853/1 vide registered sale deed bearing No.2306/1999, dated 04.12.1999 and the 5th petitioner purchased plot No.6 part in Sy.No.129 admeasuring 224 sq.yds together with small rooms bearing H.No.12-13-853/6 vide registered sale deed No.1497/2002, dated 12.08.2002 with SRO Marredpally. All the petitioners purchased the above said plots from the same vendor. When the petitioners came to know that the plots purchased by them was declared as surplus land under the provisions of the Urban Land (Ceiling and Regularization) Act, 1976 by the 2nd respondent, they made applications for regularization of their respective plots by paying the amounts as mentioned in the applications. It is stated that the entire land admeasuring Acs.5.20 gts falling in Sy.Nos.122/1 part, 125, 126, 127, 128 and 129 part of Lalaguda Village, Hyderabad District was purchased jointly by the vendors of the petitioner B.Venkat Rao and his brother Sri B.Hari Rao vide registered sale deed dated 14.05.1970. The said land was partitioned among them and they

both filed declarations as required under the Land Ceiling Act. The Competent Authority had declared approximately two and half acres as excess land under the ULC Act. Aggrieved by the declaration of the 2nd respondent, both the brothers had filed two appeals before the Commissioner (Appeals) office of the Chief Commissioner of Land Administration, Nampally, Hyderabad in Appeal No.HYD/272 and 273 of 1993. The said appeals were dismissed by order dated 16.10.2002. Aggrieved by the said orders, Sri B.Hari Rao filed W.P.No.13809 of 2003 and the same was dismissed on 05.08.2010 as abated on the ground that the possession of the land declared as surplus, was not taken before repeal of the Act, in view of the status quo orders granted in WPMP No.17130 of 2003 by this Court. In pursuant to the same, the 2nd petitioner made representation on 12.05.2011 along with other petitioners, requesting to the respondents for refund of the amount since the ULC Act has become abated. As no orders are passed, present writ petition is filed.

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Revenue.

In view of above facts and circumstances, the Special Officer- 2nd respondent is directed to dispose of the applications of the petitioners and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order, in accordance with law.

With the above direction, this writ petition is disposed of. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending in this writ petition, shall stands closed.

A.RAJASHEKER REDDY, J

29.07.2016
kvs

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

-
-
-
-
-
-
-
-
-
-
-
-
-
-

-
-
WRIT PETITION No.23789 OF 2016

-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
Date: 29.07.2016

kvs