

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 18451 of 2007

Order:

This Writ Petition is filed seeking a direction to the respondents to receive and process the applications of the petitioners for allotment/regularization of surplus lands situated in Survey No.139 of Saidabad village and Mandal, Hyderabad, admeasuring Ac.16.16 gts., under G.O.Ms.No.456, Revenue (U.C.I) Department, dated 29.07.2002.

In the counter affidavit it is stated as follows:

“As regards the land to an extent of Ac.16.16 gts., in Survey No.139 situated at Saidabad village and Mandal it is submitted that the possession of the surplus land declared in this Sy.No. could not be taken over as there was stay granted by the Hon'ble High Court in WPMP No.28286 of 1997 in WP No.24268 of 1997. The Hon'ble High Court disposed of the said case on 28.03.2006 and remanded to the Special Officer and Competent Authority, ULC, Hyderabad for fresh consideration and disposal. In pursuance of the High Court orders the case is taken up for personal hearing and notices were issued to the declarants to appear before the Special officer and Competent Authority, ULC, Hyderabad on 03.06.2006. The case is finally posted to 30.06.2006 and passed orders and the declarant have filed appeal before the Chief Commissioner of Land Administration, vide No.Hyd/45/07 dated 03.04.02007 the same is pending at Chief Commissioner of Land Administration, A.P., Hyderabad.”

The counter affidavit was filed on 25.02.2007 and thereafter the Urban Land Ceiling Act was repealed which came into force with effect from 27.03.2008. In view of the same, the receipt of applications and considering the cases under G.O.Ms.No.456, Revenue (U.C.I) Department, dated 29.07.2002, does not arise as the possession of the land was not taken over by the Government. It is for the petitioners to work out their remedies in accordance with law.

The Writ Petition is, accordingly, disposed of. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions pending in this Writ Petition, if any, shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 20.06.2017
Nsr

