

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.27931 OF 2017

Date: 28.08.2017

Between:

Kammari Narasimha Chary, S/o late Brahmaiah,
Aged about 73 years, Occu: Blacksmith,
r/o. Nandigama Village & Mandal, Ranga Reddy
district and others.

.....Petitioners

and

State of Telangana, rep.by its Principal Secretary
(Revenue), Secretariat, Hyderabad and others.

.....Respondents



The Court made the following:

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.27931 OF 2017

ORDER:

This writ petition is filed claiming that petitioners have submitted their application for grant of patta certificate for the land admeasuring Ac.1.30 guntas in Sy.No.1959 of Nandigama village, erstwhile Mahaboobnagar district, now part of Ranga Reddy district. According to the petitioners, their grand father had six sons and he was assigned land admeasuring Ac.1.00 guntas in Sy.No.1961/1962 about 70 years back and in the year, 1950, Ac.1.30 guntas of land was assigned to him in Sy.No.1959 of the same village. Though there were proposals made as early as in the year 1988 to grant patta to the petitioners, no such patta was granted. Earlier 1st petitioner filed W.P.No.23204 of 2002 to grant patta to the petitioners to the above extent of land. However, said writ petition was dismissed, granting liberty to the 1st petitioner to pursue the application for regularization stated to have been made by him. Alleging inaction on the said application and no patta is granted, and that in the mean time petitioners became soft target as Tahsildar is frequently sending men to the petitioner's property directing the petitioners to vacate the subject premises, this writ petition is filed.

2. The prayer, as noted above, is to declare the inaction in granting patta certificate as illegal.

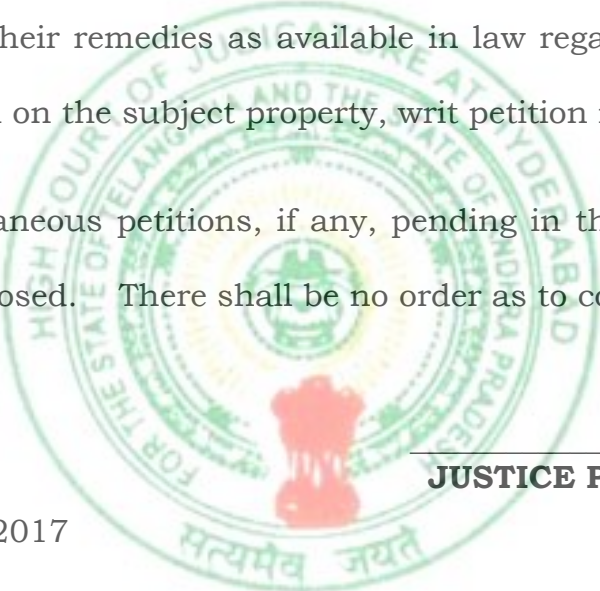
3. As averments made in the affidavit filed in support of the writ petition, noted above, would show that petitioners' application for regularization, assuming said application is filed, would itself mean that land does not belong to the petitioners. Therefore,

question of granting patta certificate does not arise at this stage, even before regularization claim if at all is pending, is considered.

4. According to the learned Government Pleader, petitioners have encroached the Government land to an extent of Ac.0.01 gts. only in Sy.No.1959 of Nandigama village and constructed temporary shed and appropriate steps are being taken for evicting the petitioners from the said land.

5. Having regard to these facts, Court is not inclined to grant relief as prayed for at this stage. Leaving it open to the petitioners to work out their remedies as available in law regarding claim for regularization on the subject property, writ petition is disposed of.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.



JUSTICE P.NAVEEN RAO

Date: 28.08.2017
kkm

HON'BLE SRI JUSTICE P.NAVEEN RAO



WRIT PETITION NO.27931 OF 2017

Date: 28.08.2017

kkm