

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.15836 OF 2004

ORDER

This writ petition is filed by the petitioners challenging the proceedings of the 2nd respondent dated 5.12.1988 and of the 1st respondent dated 22.10.2003.

The 2nd respondent *vide* proceedings dated 5.12.1988, on the declaration filed by the 1st petitioner representing the other petitioners, under the provisions of the Urban Land (Ceiling and Regulation) Act, 1976 (for short 'the Act'), held that the petitioners are not holders of the land declared as defined under Section 2 (L) of the Act and accordingly closed the proceedings. When an appeal was preferred by the petitioners, the appellate authority-first respondent passed an order on 22.10.2003 under Section 33 of the Act upholding the order passed by the 2nd respondent.

Now, a counter-affidavit is filed by respondents 1 to 3 stating as follows:

“It is submitted that Sri M.Raji Reddy, M.Vittal Reddy, M.Ramchandra Reddy filed the declarations

U/s.6(1) of the ULC Act for the lands located in Sy.Nos.174, 175, 177 including for other lands in other Sy.Nos. and such cases were taken up as C.C.Nos.E/13276/76, 13279, 13031, 13032 & 13033/76. These cases were enquired into and proceedings U/s.8(1) & 8(3) have been finalized for the land measuring 1,52,325.02 Sq.Mtrs in Sy.Nos.89,90, 119/2, 122, 125, 127, 132, 134, 139, 162, 163, 165, 168, 169, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186 of Khairatabad (Vg). The extent of land covered by these proceedings also include the extent of land covered by C.C.No.E/168/82 & E/252/87 of G.R. Enterprises.

The proceedings U/s.8(1) & 8(3), dated 29.09.1987 relating to C.C.No.E/13276, 13279, 13031, 13032 & 13033/76 have not attained finality under ULC Act, 1976, there after no further proceedings continued and ULC repeal Act came into force w.e.f. 27.03.2008.”

In view of the said averments made by the Government and in view of the provisions of the Act coming into force with effect from 27.3.2008, no further adjudication is required since the land involved in the present writ petition relates to Sy.Nos.174,175 & 177 of Khairatabad Village, in respect of which, the above

declarations were kept pending by the time of the Act coming into force.

Accordingly, the Writ Petition is closed. It is open to the parties to work out their remedies in accordance with law.

Miscellaneous petitions, if any, pending, shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

18th July, 2017
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