

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WP.No.16828 of 2011

ORDER :

The petitioner has filed this Writ Petition challenging the action of the 1st respondent in trying to dispossess the petitioner from land admeasuring Acs.4.17 guntas in Survey No.18 of Allapur Village, Balnagar Mandal, Ranga Reddy District.

2. He also assails proceedings dt.30.05.2011 of the 1st respondent allotting this land to 4th respondent for construction of 132/33/11 KV Sub-Station, and directing the 3rd respondent to handover advance possession of this land to 4th respondent.

3. The petitioner contends that he has filed an application for grant of 'Occupancy Rights Certificate' under Section 10 of the Andhra Pradesh (Telangana Area) Abolition of Inams Act, 1955 before the 2nd respondent in August, 2010, and that the 2nd respondent has not passed any orders thereon. He also asserted that the land is inam land and is not Government land, and the 3rd respondent cannot allot it to 4th respondent.

4. The learned Government Pleader for Revenue, appearing for respondent nos.1 to 3, disputes these contentions of petitioner and states that the land being Government land it was rightly allotted by the 3rd respondent to 4th respondent.

5. Sri B. Vijayasen Reddy, counsel for 5th respondent, states that his client is also disputing the claim of petitioner for grant of 'Occupancy Rights Certificate' before the 2nd respondent, and it already impleaded themselves in the proceedings pending there.

6. Since the issue in this case is whether the land is inam land or not, and since such an issue can only be adjudicated by the 2nd respondent exercising jurisdiction under the Act, the 2nd respondent is directed to pass orders on petitioner's application for 'Occupancy Rights Certificate' made by petitioner after hearing the opposition to the same by the 5th respondent also, within a period of four (04) months from the date of receipt of a copy of this order.

7. It is made clear that this Court has not expressed any opinion on the merits or claims of either party.

8. Accordingly, the Writ Petition is disposed of. No order as to costs.

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

JUSTICE M.S.RAMACHANDRA RAO

Date: 14-02-2017

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