

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.35440 OF 2017

Dated:25.10.2017

Between:

Syed Ghouse, S/o. Jeelani,
Aged about 40 years, Occ: Agriculture,
R/o. Kaleswaram Village, Mahadevpur
Mandal, Jaishankar District, Bhupalpally,
Telangana State and others .. Petitioners

And

The State of Telangana, Rep., by its
Principal Secretary, Revenue Department,
Secretariat Buildings, Hyderabad and others .. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.35440 OF 2017****ORDER:**

Heard.

2. Petitioners claim that land to an extent of Acs.5.10 guntas in Survey No.39/2 of Pooskupally Village, Mahadevpur Mandal, is private patta land and they are in possession and enjoyment of the said land. Petitioners now allege that the Tahsildar, Mahadevpur Mandal, is now seeking to allot Ac.1.00 of land from out of the said land to third parties and such action is illegal. Therefore, petitioners submitted representation which is acknowledged by the office of the District Collector on 16.09.2017. Alleging that the Tahsildar is taking steps to allot land to an extent of Ac.1.00 in Survey No.39/2, this Writ Petition is filed.

3. No material is placed on record to show as to how the Tahsildar is seeking to allot private patta land to third parties without following due procedure as required by law, when the petitioners assert that it is their private land, though, it is always open to the Government to take possession of land for any public purpose. If the petitioners have any grievance against the alleged allotment of Ac.1.00 of land belonging to the petitioners, they can avail appropriate remedy, but no pre-emptive directions can be issued restraining the Tahsildar from allotting the land claimed by the petitioners as owned by them. The Writ Petition is premature and the same is liable to be dismissed.

4. The Writ Petition is accordingly dismissed leaving it open to the petitioners to work out their remedies as available in law, as and when any adverse decision is taken by the competent authority affecting the rights of the petitioners. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in the Writ Petition shall stand closed.

P. NAVEEN RAO, J

Date:25.10.2017

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