

**THE HON'BLE SRI JUSTICE P.NAVEEN RAO**

**WRIT PETITION No.43884 OF 2017**

**DATED : 26.12.2017**

Between :

Rekha Sarvaiah S/o.Late Laxmaiah,  
Aged 65 yrs, Occu : Retired Employee,  
R/o.H.No.1-9-75/B, Division 47,  
Durga Road, Municipal City,  
Khammam Town and District.

.. Petitioner

And

The State of Telangana,  
Rep., by its Principal Secretary,  
For Tribal Welfare, Secretariat,  
Hyderabad & others.

... Respondents



This court made the following :

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**ORDER :**

Heard.

2. This writ petition is filed challenging entertaining of L.T.R.Case No.2 of 2017 by the Agent to Government-cum-Special Deputy Collector, Tribal Welfare, Bhadrachalam.

3. Petitioner alleges that on the same subject property petitioner filed O.S.No.101 of 2017 in the Court of Agent to Government and when the suit is pending, the LTR case is not maintainable. According to learned counsel for the petitioner, on receipt of notice in the LTR case, a memo was filed on 15.07.2017 bringing to the notice of the Agent to Government about pending O.S, and therefore, the LTR case is not maintainable.

4. As fairly submitted by learned counsel, so far no decision is made by the Agent on the objection filed by the petitioner. Thus, even before a decision is made on the objection filed, petitioner rushed to this Court.

5. It is not in dispute that Agent to Government is competent to entertain the LTR case filed under Section 3 (1) (a) of Land Transfer Regulation 1/59 R/W.Regulation 1/70. Therefore, as the objection on the maintainability of LTR case is yet to be considered and even before a decision is made, this Court is not inclined to entertain the writ petition.

6. Thus, leaving it open to the petitioner to work out his remedies as available in law, as and when a decision is made by

the Agent to Government, the Writ Petition is dismissed. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

26<sup>th</sup> December, 2017  
Rds

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**P.NAVEEN RAO,J**

