

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

Writ Petition No.495 of 2018

Order:

The petitioner states that she is the occupant of House bearing No.1-19-6, situated in Survey No.74/1 of Rasoolpura, Secunderabad. Her father-in-law constructed the said house and she was residing therein. Her husband is a daily labourer and she is residing with her husband. They come under the below poverty line category. While so, when the Government issued notification in G.O.Ms.No.58, dated 30.12.2014, relating to assignment of unobjectionable Government land and surplus land up to an extent of 125 sq. yards, she made an application on 29.01.2015 before the fourth respondent. When no action was taken, she submitted another letter on 13.02.2017. However, the fourth respondent rejected her application by order dated 27.03.2017 stating that the land belongs to Cantonment authorities. But, the Cantonment Board made an endorsement on 12.04.2017 stating that the land comes under B-2 category and it is in GLR Survey No.764 coming under the management of the State Government. In those circumstances, challenging the endorsement made by the fourth respondent dated 27.03.2017, the present Writ Petition is filed.

Now the stand of the fourth respondent is that the said land where the house was constructed and for which application was filed under G.O.Ms.No.58, dated 30.12.2014, belongs to the Cantonment Board, whereas the stand of the Cantonment Board is that it is the Government land. On the basis of these contradictory statements, it is not possible for this Court to decide the issue, as the present issue relates to the assignment of unobjectionable Government land to the landless poor persons. A reading of G.O.Ms.No.58, dated 30.12.2014, shows that the Joint Collector concerned

can be approached for redressal of grievance as he is the grievance redressal authority named in the Government Order.

In view of the same, this Writ Petition is disposed of giving liberty to the petitioner to approach the Joint Collector concerned for redressal of her grievance and depending on the order passed by the Joint Collector, the fourth respondent shall act. The petitioner is given fifteen (15) days time for ventilating her grievance before the Joint Collector concerned and the Joint Collector shall take action on such representation within a period of four (4) weeks thereafter. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in this writ petition shall stand closed.

Date: 26.02.2018
Nsr

A. RAMALINGESWARA RAO, J

