

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.11312 OF 2018

DATED :06.04.2018

Between :

Intezami Masjid Committee,
Rep., by its President, Sri Mohd. Sattar,
S/o. Late Goremiya, Aged 46 yrs,
R/o.H.No.7-5-8, Subhash Nagar,
Sircilla, Rajanna Sircilla District.

.. Petitioner

And

The State of Telangana,
Rep., by its Principal Secretary,
Revenue Department,
Secretariat Building, Hyderabad & others.

.. Respondents



This court made the following :

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ORDER :

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Revenue.

2. The Masjid Committee is the petitioner. It claims that it is entitled to possession and enjoyment of Ac.0.28 guntas of land in Sy.No.696 of Sircilla town, Rajanna Sircilla District, claiming that the entire extent was earmarked to use as burial ground. With reference to Ac.0.25 guntas, there appears to be no dispute. However, there are rival claims on Ac.0.03 guntas of land adjacent to Ac.0.25 guntas of land. It appears on some law and order problem, the Revenue Divisional Officer, Sircilla (RDO) conducted detailed enquiry and called upon the rival claimants to place on record all the relevant documents in support of their respective claims on the entire extent of land including this Ac.0.03 guntas. However, neither of the party has submitted documents to show that Ac.0.03 guntas of land is assigned to them. Having regard to the same, the RDO passed orders on 05.08.2015 holding that no party i.e., either Masjid Committee or Hindu Community or Sri Satyasai Seva Samithi, have title or allotment in respect of land lying vacant adjacent to muslim grave yard in Sy.No.696, 959 and 695 and all parties were informed that no person would be allowed to enter into it and decision was taken to take over the said vacant land into Government custody by erecting temporary fencing.

3. This writ petition is filed contending that several representations were made to grant possession of this Ac.0.03

guntas of land to the petitioner Committee and allow to develop the land by fencing.

4. As noted above, the RDO while holding that no material is placed before him with reference to assignment/allotment of Ac.0.03 guntas of land mentioned above granted liberty to parties to place before him any other material to support their claim for consideration.

5. A *prima-facie* reading of several representations filed would show that so far no material is placed before the revenue authorities. The Committee went on harping 1998 proceedings that the land being adjacent to Ac.0.25 guntas earlier allotted to petitioner Committee this land should also be allotted. Assignment of land/allocation of land earlier is one aspect and further assignment/allocation to the petitioner Committee is another aspect and they are two independent aspects.

6. Thus, leaving it open to the petitioner to satisfy the RDO with cogent material to support its claim as per the opportunity already afforded to it by the RDO in his proceedings dated 05.08.2015 or to make independent claim for assignment of additional land, the Writ Petition is disposed of. There shall be no order as to costs.

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

6th April, 2018
Rds

P.NAVEEN RAO,J