

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.12237 OF 2018

Date: 11.04.2018

Between:

M/s. Saraca Laboratories Limited, P.Subramanyam Reddy,
s/o. late P.Venkata Subba Reddy, O/o Sy.No.10,
Gaddaptharam village, Jinnaram Mandal, Sanga Reddy
District.

.....Petitioner

and

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

.....Respondents



The Court made the following:

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ORDER:

Petitioner claims to be owner of land to an extent of Ac.11.35 guntas in Sy.Nos.44 to 52 of Alinagar, H/o. Chetlapotharam village and Ac.9.21 guntas in Sy.Nos.10 & 8 of Gaddapotharam village, total land admeasuring Ac.21.16 guntas. Petitioner is now served with notice dated 06.03.2017 alleging that petitioner has constructed compound wall some part within FTL and remaining part under Buffer Zone from Full Tank Level of Ayyamma Cheruvu.

2. Apart from various contentions learned counsel for petitioner submits that though it is a kind of notice, proceedings impugned herein is nothing but a final order directing petitioner to remove objectionable construction within the limits of FTL and buffer zone and, therefore, same is not valid in law on that ground alone.

3. Learned Government Pleader fairly submits that since order does not reflect issuance of notice, petitioner can be given opportunity to submit his explanation.

4. Having regard to these submissions, proceedings impugned herein are directed to be treated as show-cause notice and petitioner is granted one week time to apply for the report fixing the full tank level area and buffer zone of Ayyamma Cheruvu. On submission of such application, one week thereafter, the Tahsildar, Jinnaram Mandal shall furnish report. On receipt of such report, petitioner shall submit his explanation within two weeks thereafter. On receipt of explanation, Tahsildar shall consider the

same objectively and shall pass reasoned order dealing with the objections raised by petitioner and pass final order. Till final orders are passed, as directed above, no coercive action shall be taken against petitioner. However, it is made clear that if petitioner does not apply for supply of report fixing FTL and buffer zone within the time granted or does not submit the explanation within the time granted, it is open to Tahsildar to proceed further in accordance with the notice impugned herein. Writ Petition is disposed of accordingly.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. No costs.

JUSTICE P.NAVEEN RAO

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Note: issue CC in three days.

(B/o)
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