

HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.3664 of 2019

ORDER:

The prayer of the petitioner in this case reads as under:-

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus directing the respondents in not disposing of the representations dated 25.03.2017, 17.09.2018, 15.12.2018 and 07.01.2019 as arbitrary, illegal and in violation of Articles 14 and 300A of the Constitution of India in the interest of justice and to pass such other order or orders as this Honourable Court may deem fit and proper in the facts and circumstances of the case.”

Perusal of the representations made by the petitioner reflects that it is his claim that though proceedings were initiated under the Urban Land (Ceiling and Regulation) Act, 1976, they did not culminate in the State taking over possession of the excess land, if any, under Section 10(5) and 10(6) of the Act of 1976. However, as the petitioner's land, as detailed in the said representations, is in the possession of the State, he seeks payment of compensation therefor in accordance with law.

Perusal of the material placed on record reflects that the aforestated representations of the petitioner were duly received by the revenue authorities. Having received such representations, it is not open to the revenue authorities to remain somnolent. All the more so, when the petitioner claims that the State is in unlawful possession of the subject land. It is for the revenue authorities to respond and justify as to how they claim rightful possession over the subject land, if any, over which the petitioner claims rights.

The Writ Petition is accordingly disposed of directing the Principal Secretary, Revenue Department, Government of Telangana, to pass appropriate orders upon the petitioner's representations dated 25.3.2017, 17.9.2018, 15.12.2018 and 07.01.2019 expeditiously and in any event not later than three months from the date of receipt of a copy of this order, be it from whatever source.

Pending Miscellaneous Petitions, if any, shall stand closed in the light of this final order. No order as to costs.

22nd February, 2019
dr

JUSTICE SANJAY KUMAR

