

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION No.28602 of 2008

ORDER:

This Writ Petition is filed seeking the following relief:

“ ... declaring the action of Respondents in compelling the petitioner to get her possession regularised, in respect of Plot bearing No.20 admeasuring Ac.266.7 sq yds in Sy No.9/1 of Pasham Sathaiah Colony, Ramanthapur Village, Uppal Mandal, Ranga Reddy District, as per G O Ms No.747 dt 18 6 2008, pursuant to impugned notice dt 25 9 2008 in File No.F1/1637/76 on the file of the 2nd Respondent, as illegal, arbitrary and without jurisdiction and to consequently hold that petitioner is entitled to be in possession of the above property by further declaring the above notices dt 25 9 2008 as illegal, arbitrary and unconstitutional, Award costs and ...”

2) Heard Sri K.Raghuveer Reddy, learned counsel for the petitioner, and the learned Government Pleader for Revenue.

3) Petitioner approached this Court mainly impugning the notice, dated 25.09.2008, in File No.F1/1637/76 issued by The Special Officer & Competent Authority, Urban Land Ceiling, Hyderabad.

4) When the matter is taken up for hearing, it is brought to the notice of this Court that by order, dated 08.04.2015, passed in W.P.No.788 of 2009 and 28618 of 2008, this Court has set aside the notice dated 25.09.2008 in file No.F1/1637/76 passed by the second respondent, which is impugned in the present writ petition. Further, by following the

order dated 08.04.2015, this Court also allowed W.P.No.24454 of 2008 on 06.12.2013.

5) In view of the same, the present writ petition is also liable to be allowed in terms of the order, dated 08.04.2015, passed in W.P.No.788 of 2009 and 28618 of 2018.

6) Accordingly, the Writ Petition is allowed with the following observations:

The notice impugned in this writ petition is not sustainable. The plot purchased by the petitioner never vested in the State in accordance with the law. Therefore, petitioner cannot be described as person in unauthorised occupation of the Government land and there can be no compulsion on the petitioners to apply for regularization under G.O.Ms.No.744 dated 18.06.2008. The notice under challenge is without jurisdiction and competence and is liable to be set aside as such. It is accordingly set aside.”

As a sequel, miscellaneous petitions pending in this writ petition, if any, shall stand closed. No orders as to costs.

06.12.2019.
sur

A.ABHISHEK REDDY, J