

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.7445 OF 2019

Dated:12.06.2019

Between:

SSPDL Ventures Private Limited,
Having its corporate office at Eden
Gardens, Road No.10, Banjara Hills,
Hyderabad, rep., by its Director
Sri Edala Bhaskar Rao

.. Petitioner

And

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

.. Respondents



This Court made the following:

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ORDER:

Heard.

2. This Writ Petition is filed praying to grant the following relief:

“... to issue a Writ, order or direction more particularly a Writ in the nature of mandamus declaring preposterous, illegal and highhanded action of Respondent No.6 in addressing letters dated 20.02.2018 & 26.06.2018 to Respondent No.4 and letters dated 20.12.2018 & 27.03.2018 .. sic...(27.03.2019), to the Respondent No.3, thereby requesting them to conduct the survey in respect of Sy.No.191, for demarcating the sub-divisional Sy.No.191/30, to an extent of Ac.03.00 gts., situated at Kollur Village, Ramachandrapuram Mandal, Sanga Reddy District and the consequential action of Respondent No.4 in issuing notice vide Lr.No.A3/278/18, dated 20.03.2019 expressing his intention to conduct survey for demarcation of sub-division Sy.No.191/30, situated at Kollur Village, Ramachandrapuram Mandal, Sanga Reddy District, as illegal, arbitrary, without authority of law, tainted with malice to overreach the order dated 22.09.2017 in W.P.No.35787 of 2015, apart from it being in derogation of Articles 14, 21 and 300-A of the Constitution of India and consequently set aside the letters dated 20.02.2018 & 26.06.2018 addressed by Respondent No.6 to Respondent No.4, letters dated 20.12.2018 & 27.03.2018 .. sic ... (27.03.2019) of Respondent No.6 addressed to Respondent No.3 and consequential notice vide Lr.No.A3/278/18 dated 20.03.2019 of Respondent No.4 and further direct the Respondents not to undertake any survey in derogation of the directions of this Hon'ble Court dated 22.09.2017 in W.P.No.35787 of 2015; and pass such other or further orders as are deemed fit and proper in the circumstances of the case”

3. A reading of the prayer would show that petitioner is aggrieved by letters issued by the Hyderabad Metropolitan Development Authority (HMDA) on 20.02.2018 and 26.06.2018

addressed to the Assistant Director, Survey and Land Records, Sanga Reddy District, with reference to conducting of survey of subject property, and letters dated 20.12.2018 and 27.03.2018 (typed as 27.03.2019) addressed to the District Collector, Sanga Reddy District. Letter dated 20.03.2019 is also impugned in the Writ Petition by which the Assistant Director, Survey and Land Records, Sanga Reddy, fixed a date for conducting of survey.

4. Learned Standing Counsel for HMDA placed before this Court two letters bearing No.101299/LO/Plg/HMDA/13, dated 12.04.2019, addressed to the District Collector, Sanga Reddy District, and the Assistant Director, Survey and Land Records, Sanga Reddy District, respectively, informing the respective authorities about withdrawal of the letters earlier addressed to them i.e., 20.12.2018, 27.03.2019 and 20.02.2018, 26.06.2018, respectively.

5. In view of withdrawal of the letters impugned in the Writ Petition, the cause in the Writ Petition to that effect does not survive.

6. Learned Government Pleader placed before this Court the letter No.A3/278/18, dated 11.06.2019, addressed by the Assistant Director, Survey and Land Records, Sanga Reddy District, and submits that by this letter the Assistant Director informed him about withdrawal of all the letters and notices to the individuals in respect of conducting survey.

7. In view of the same, further relief sought in the Writ Petition also does not survive.

8. Sri B. Vidyanath Reddy filed I.A.No.3 of 2019 seeking his impleadment as party respondent No.7 to the Writ Petition.

9. Learned counsel for the proposed respondent submits that he has independently instituted W.P.No.9576 of 2019 seeking conducting of survey and this Court by order dated 01.05.2019 disposed of the said Writ Petition. The Court is not expressing opinion on the issue of institution of Writ Petition by proposed respondent and directions issued as it is an independent matter to be independently pursued.

10. The only issue for consideration in the present Writ Petition is about the validity of various letters impugned. Since all the letters are withdrawn, the cause in the Writ Petition does not survive. The Writ Petition is accordingly dismissed. It is made clear that there is no expression of opinion on merits on any other claims.

11. Since the Writ Petition is dismissed, no orders are required to be passed in I.A.No.3 of 2019 filed to implead the proposed respondent as party respondent No.7 to the Writ Petition. All other pending miscellaneous petitions shall stand closed.

P. NAVEEN RAO, J

Date:12.06.2019

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