

**THE HON'BLE SRI JUSTICE P.NAVEEN RAO**

**WRIT PETITION No.15095 OF 2019**

Date:22.07.2019

Between:

M. Sreedhar Reddy, S/o. M. Ram Reddy,  
Hindu, aged about 60 years,  
Occ: Software Engineer, R/o. Plot No.377,  
Road No.10, Jubilee Hills, Hyderabad .. Petitioner

And

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



The Court made the following:

**THE HON'BLE SRI JUSTICE P.NAVEEN RAO****WRIT PETITION No.15095 OF 2019****ORDER:**

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

2. According to petitioner, by way of transfer of membership, he became the owner of Plot No.377 at Road No.10, Jubilee Hills, Hyderabad, with Membership No.1850 and the plot was registered on 08.06.1994. Thereafter, petitioner has construction house on the subject plot and is living therein. Having come to know that a portion of the land in occupation by him is not the land belonging to the society, but is an open area, he filed application for regularizing of the same in accordance with the scheme formulated by G.O.Ms.No.59, dated 30.12.2014. The said application of the petitioner was rejected by Memo dated 20.09.2015 and the reason was that the land claimed to have been in occupation of the petitioner forms part of park land of GHMC in Jubilee Hills Cooperative Housing Society and therefore cannot be regularized. Petitioner earlier filed W.P.No.6022 of 2019 alleging that no action was taken on the application filed by him for regularization. When the said Writ Petition was taken up, the Assistant Government Pleader produced the Memo dated 20.09.2015 issued by the Tahsildar, whereby the application of the petitioner was considered and rejected for regularization on the ground that the land in question formed part of park in Jubilee Hills Housing Cooperative Society and accordingly liberty was granted to the petitioner to take appropriate remedial measures in accordance with law.

3. Petitioner sought to contend that he was not aware that this piece of land was earmarked for park and there is an excess land available and the same ought to have been considered. In the scheme formulated by the Government vide G.O.Ms.No.59, dated 30.12.2014, redressal mechanism is also available in the form of Joint Collector as is evident from paragraph No. 2 (xiv) thereof. Petitioner ought to have availed said remedy. As the redressal mechanism is created by the very scheme, the petitioner is granted liberty to go before the Joint Collector explaining his stand on excess land available or giving equivalent to the land earmarked as park. Further, it is open to the Joint Collector to consider such prayer.

4. The Writ Petition is accordingly dismissed granting liberty to the petitioner to avail the redressal mechanism available vide G.O.Ms.No.59 dated 30.12.2014. Pending miscellaneous petitions shall stand closed.

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**P. NAVEEN RAO, J**

Date:22.07.2019

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