

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.18444 OF 2018

Dated:20.11.2019

Between:

N. Venkateswara Rao, S/o. Veerabhadra Rao,
Aged about 47 years, Occ: Agriculture,
R/o. Kalluru (V & M), Khammam
District, Telangana State .. Petitioner

And

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



This Court made the following:

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ORDER:

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

2. This Writ Petition is filed alleging that though the family of the petitioner is contesting the proceedings under the Telangana Agricultural Land (Conversion for Non-Agricultural Purpose) Act, 2006 (for short, 'the Act') as their cases are pending before the Land Reforms Tribunal, the authorities are seeking to declare certain persons as having purchased the lands much prior to the coming into force of the Act and conferring their ownership rights and therefore the same is illegal. The averments in the affidavit also proceed in the same direction. In the prayer, the petitioner seeks to declare the proposed action on the part of respondents 3 to 5 in processing the preparation and issuance of pattadar passbooks and title deeds to the ineligible people in respect of the ceiling surplus lands in Survey Nos.14 to 289 of Laxmipuram Village, Kalluru Mandal, Khammam District, as illegal.

3. The Writ Petition is not maintainable for two reasons. Firstly, none of the parties against whom the allegation of claiming ownership much prior to the coming into force of the Act are made as parties to the Writ Petition, whereas the declaration sought would be affecting directly their entitlement, if at all such entitlement is valid in law. Secondly, even according to the prayer, what was alleged was to declare the

proposed action on the part of respondents 3 to 5 in processing the preparation and issuance of pattadar passbooks and title deeds to ineligible people as illegal and on assumption, no such relief can be granted. It cannot be said that the petitioner is remediless, if such illegal action is taken against him without following due process by the competent authority. Therefore, the Writ Petition is liable to be dismissed.

4. The Writ Petition is accordingly dismissed. Pending miscellaneous petitions, if any, shall stand closed.

Date:20.11.2019

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P.NAVEEN RAO, J

