

HONOURABLE SRI JUSTICE T. VINOD KUMAR

WRIT PETITION No.21634 OF 2019

ORDER (ORAL):

Heard Sri Pulla Rao Yellanki, learned counsel for the petitioner, and learned Government Pleader for Social Welfare, and perused the material on record.

2. The case of the petitioner is that on account of the order passed by respondent No.1 - Principal Secretary, Tribal Welfare Department, Government of Telangana, Secretariat, Hyderabad, vide G.O.Ms. No.46 dated 12.10.2018, rejecting the revision petition dated 15.11.2008 filed by respondent No.6 herein and upholding the orders of respondent No.3 - Additional Agent to Government and Project Officer, ITDA, Bhadrachalam in C.M.A. No.98 of 2003 dated 28.06.2008, the land admeasuring Acs.5-00 in Survey No.241 situated at Sompalli Village, Burgampad Mandal, Bhadradri Kothagudem District, would vest back to the petitioner.

3. The case of respondent No.6 that she has purchased the subject land from the petitioner's father in the year 1968 and, therefore, Regulation 1/70 would not be applicable to her, has been rejected by respondent No.3 by the order dated 28.06.2008 in C.M.A. No.98 of 2003. Aggrieved by the same, respondent No.6 carried the matter in revision before respondent No.1, but the same was also rejected by respondent No.1 vide G.O.Ms. No.46 dated 12.10.2018 confirming the order in C.M.A. No.98 of 2003 which was passed

confirming the order of respondent No.4 in LTR Case No.H/58/95/BPD dated 20.11.2001 against the title of the petitioner's father. Merely because, respondent No.6, whose claim is that she has purchased the subject land from the petitioner's father, failed to establish her title over the subject land, would not result in the said land being vest back on to the name of the petitioner's father, who also suffered an adverse order on 20.11.2001 in LTR Case and did not choose to challenge the same and allowed the same to attain finality. Further, in pursuance of the said order passed by respondent No.4, respondent No.5 - Mandal Revenue Officer, Burgampadu, Bhadradri Kothagudem District had assigned the subject land to respondent No.7 vide MRO proceedings No.B/2917/2001 dated 24.07.2002 and handedover possession of the same under cover of panchanama dated 01.08.2002. This being the factual position, after a long lapse of time, it is not open for the petitioner now to claim the subject land which is assigned to respondent No.7 way-back in the year 2002.

4. In the aforesaid circumstances, this Court is of the view that the relief sought by the petitioner in this writ petition is misconceived and accordingly, the writ petition is dismissed. No order as to costs.

As a sequel thereto, Miscellaneous Petitions, if any, pending in the writ petition stand closed.

T. VINOD KUMAR, J

November 13, 2019.
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