

THE HON'ABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.22717 OF 2019

Dated:11.11.2019

Between:

S.Venkateswara Prasad,
S/o.S.Y.N. Murthy, aged 59 years,
Occ: Self Employed, R/o.Flat No.501,
Sri Sai Datta Residency,
Plot No.919, Defence Colony, Sainikpuri,
Secunderabad

.. Petitioner

And

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

.. Respondents



This Court made the following:

THE HON'ABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.22717 OF 2019

ORDER:

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

2. Petitioner claims to be the absolute owner of Plot No.290 D admeasuring 500 sq. yards in Survey No.1057 of Beeramguda Village, Ameenpur Mandal, Sanga Reddy District, having acquired the same by way of registered sale deed dated 07.03.1988. His mother is also owner of equal extent of land in Plot No.309D in the same survey number. The Industrial Employees Cooperative House Building Society, Bandlaguda, formed plots and the members of the said society have purchased plots. Petitioner apprehends that some land mafia are illegally occupying the plots belonging to the members of the society; undertaking construction and are also changing the revenue records by getting their names mutated therein. Petitioner therefore submitted a representation on 23.08.2019 addressed to the District Collector, Ranga Reddy District, informing him about the illegal things happening in the area and requested him not to entertain any petition for mutation or change in the revenue records, permission for any construction, issuing No Objection Certificates with regard to the society lands and safeguards from any encroachers. Alleging inaction, this Writ Petition is filed.

3. From the representation dated 23.08.2019 and the averments in the affidavit filed in support of the Writ Petition, it is noticed that apparently, the land was converted from agriculture to

non-agricultural purpose, layout was formed and house plots were sold. If that is so, applying the provisions of the Telangana Assigned Lands (Prohibition of Transfers) Act, 1977 and undertaking mutation or change in the revenue records may not arise. Petitioner apprehends of some acts by some unknown persons which would affect his plot and therefore seeks a direction to keep the mutation already done in favour of the third parties in abeyance till enquiry is conducted. Further, he also seeks direction not to entertain any application for change of records. Authority cannot be directed not to entertain an application made by a person on any issue, more so against unspecified persons, who may make an application. Only after an application is made, the same has to be processed by competent authority. Moreover, it cannot be said that the petitioner is remediless, if any adverse decision is made against him without following due process of law.

4. The Writ Petition is accordingly dismissed leaving it open to the petitioner to work out his remedies as and when an adverse decision made against him without putting him on notice. Pending Miscellaneous Petitions, if any, shall stand closed.

P. NAVEEN RAO, J

Date:11.11.2019

KH