

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.26084 OF 2019

Dated:27.11.2019

Between:

Dongiri Eshwari, W/o. Komaraiah,
Aged about 56 years, Household and others .. Petitioners

And

State of Telangana, rep., by its
Secretary, Revenue Department,
Secretariat, Lower Tank Bund,
Hyderabad and others .. Respondents



This Court made the following:

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ORDER:

Heard learned counsel for the petitioners, learned Government Pleader for Revenue for respondents 1, 2, 5 and 6 and learned Government Pleader for Home for respondents 3 and 4.

2. Petitioners claim that they have purchased land from the assignees in whose favour assignments were granted in the year 1993 in Survey No.128 of Garepally Village, Kataram Mandal, Jayashankar Bhupalapally District. The Tahsildar passed orders on 04.11.2008 resuming the land on the ground of violation of terms of assignment. Aggrieved thereby, petitioners preferred appeal before the Revenue Divisional Officer, who confirmed the order of the Tahsildar vide his order dated 10.12.2009. Aggrieved by the same, they preferred revision before the Joint Collector and the Joint Collector assigned revision number as E3/1213/2010. (Sometimes it is mentioned as appeal, whereas under the provisions of the Telangana Assigned Lands (Prohibition of Transfers) Act, 1977, only revision lies against the order of the appellate authority). The 1st petitioner and others earlier filed W.P.No.4119 of 2010 challenging the proceedings of the Revenue Divisional Officer and to declare the action of the 1st respondent therein i.e., the District Collector in not passing orders on the stay petition filed by them along with the appeal as illegal and arbitrary. The Writ Petition was disposed of by order dated 12.09.2018

directing the 1st respondent – District Collector to dispose of the main appeal, if it was not already disposed of, as early as possible preferably within a period of three months from the date of receipt of copy of the order.

3. According to learned counsel for the petitioners, revision is yet to be disposed of. On the contrary, on 20.11.2019, proceedings were issued proposing to allot land to an extent of Ac.0.30 guntas in Survey No.128 of Garepally Village for the purpose of constructing police quarters and called for objections. Learned counsel for the petitioners submits that even before the revision is decided, if the allotment process is finalized, grave prejudice would be caused to the petitioners as the land to an extent of Ac.0.30 guntas is falling into the land purchased by the petitioners.

4. Though written instructions are furnished by the Tahsildar, they are silent as to whether the revision preferred in the year 2010 is disposed of or not.

5. Having regard to the same, without expressing any opinion on the merits of the case, the Writ Petition is disposed of directing the Joint Collector to dispose of the revision bearing No.E3/1213/2010 as expeditiously as possible preferably within a period of four weeks from the date of receipt of a copy of this order, if the same is not already disposed of. If the revision was already disposed of, the same shall be informed to the petitioners. Till a decision is made as directed above, if not already made, the respondents shall not

finalize the allotment of land to the police department pursuant to the objections called on 20.11.2019. Pending miscellaneous petitions, if any, shall stand closed.

P.NAVEEN RAO, J

Date:27.11.2019

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