

HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.39180 of 2018

ORDER:

1 The grievance of the petitioners is that the authorities are not undertaking regularisation of his rights over the land admeasuring Ac.0-9½ guntas (1150 sq. yards) situated at Kondapur Village, Serilingampally Mandal, Ranga Reddy District. Be it noted that this land has been wrongly described as Ac.9-05 guntas in the prayer portion in the Writ Petition.

2 The petitioners seem to have made an application for regularisation of their rights over the subject land under the G.O.Ms.No.747, REV (UC-I) Department, dated 18.06.2008. The application was taken on file with the number H1/747/775/2008. The amount due in relation to the regularisation, being a sum of Rs.6,01,180/-, has already been remitted to the revenue authorities by the petitioners. Their complaint presently is that the revenue authorities are not completing the process of regularisation.

3 The Collector, Ranga Reddy District, filed a counter affidavit stating that a status *quo* order was passed on 03.12.2014 in the connected Writ Petition No.35664 of 2014 and that as the said order is still subsisting, the petitioners are not entitled to have their regularisation application considered on merits. It appears that Memo dated 07.01.2019 was issued to the petitioners stating to this effect, in compliance with the interim order passed on 31.10.2018 in this Writ Petition, requiring the authorities to process the petitioners' application and issue necessary orders thereon within a time frame.

4 It may be noted that Writ Petition No.35664 of 2014 was filed by some other persons assailing the proceedings initiated under the Urban Land (Ceiling and Prohibition) Act, 1976 (for brevity, 'the Act of 1976'). The said Writ Petition is still pending consideration. Therein, an order

was passed on 03.12.2014 directing *status quo* existing as on that date to be maintained. Needless to state, the *status quo* order would apply only to the parties to the said Writ Petition and would have no application to the land over which the petitioners claim regularisation presently.

5 Sri A.Abhishek Reddy, learned counsel for the petitioners, would inform this Court that the petitioners, having already paid the amount due for regularisation, would claim no equities in the event the proceedings under the Act of 1976 are set at naught pursuant to the adjudication of Writ Petition No.35664 of 2014. He would further state that the petitioners would not seek refund of the amount paid by them under any circumstances and would abide by the order of regularisation passed by the Government upon their application No.H1/747/774/2008. In the light of the aforestated unconditional offer made by Sri A. Abhishek Reddy, learned counsel, upon instructions from the petitioners, the pendency of Writ Petition No.35664 of 2014 or the *status quo* order passed therein cannot be cited as a ground for putting off the consideration of the petitioners' application for regularisation.

6 The Writ Petition is accordingly disposed of directing the authority concerned to consider the petitioners' application No. No.H1/747/774/2008 filed under G.O.Ms.No.747, REV (UC I) Department, dated 18.06.2008, on its own merits and in accordance with law without reference to the pendency of Writ Petition No.35664 of 2014 or the *status quo* order passed therein. In the event the petitioners' application is otherwise found to be in order, the authority shall complete the regularisation process and issue appropriate proceedings. This exercise shall be completed expeditiously and in any event, not later than eight weeks from the date of receipt of a copy of this order. It is also made clear that the disposal of this Writ Petition under the aforestated circumstances would not prejudice the case of the petitioners

in Writ Petition No.35664 of 2014 or have any impact on any issue arising for consideration therein.

7 Miscellaneous Petitions pending in this Writ Petition shall stand closed. No order as to costs.

6th February, 2019
C.C. in 2 days.
B/o Kvsn

JUSTICE SANJAY KUMAR