

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

MONDAY, THE EIGHTEENTH DAY OF APRIL
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE MUMMINENI SUDHEER KUMAR

WRIT PETITION NO: 18234 OF 2022

Between:

1. A. Balarami Reddy, S/o A. Kodanda Rami Reddy, Aged about 74 Years, R/o, Wadepalli Village and Mandal Jogulamba Gadwal District.
2. A. Hanumantha Reddy, S/o A. Kodanda Rami Reddy, Aged 69 years, H.No.2-2-7/ 1/5, Flat No.503, DD Colony, Bagh Amberpet, Hyderabad
3. A. Sree Ranga Reddy, S/o A. Kodanda Rami Reddy, Aged 66 years, R/o Road No 13A, Happy Valley, Banjara Hills, Hyderabad.
4. A. Sree Krishna Reddy, S/o A. Kodanda Rami Reddy, Aged 60 years, R/o Road No13A, Happy Valley, Banjara Hills, Hyderabad.
5. A. Leelavathamma, W/o A. Narasimha Reddy, Aged 70 years, Uchala Village, Kumool Mandal, Kumool District
6. A. Venkata Lakshmi, D/o A. Madhava Reddy, Aged 25 years, R/o Road No13A, Happy Valley, Banjara Hills, Hyderabad.

...PETITIONER(S)

AND

1. The State of Telangana, Rep. by Principal Secretary, Revenue Department, Secretariat Buildings, Hyderabad.
2. The Revenue Divisional Officer, Gadwal, Jogulamba Gadwal District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of writ of Mandamus, declaring the inaction of the respondent in not considering the applications filed by the petitioners for grant of Occupancy Rights Certificate (ORC) for the 1st petitioner land in Sy.No.115/A/1, Sy.116/E/2, Sy.No.117/A/7 Admeasuring Ac.0.10 gts, 2nd petitioner is land in Sy.No.116/E/4, Sy.No.117/A/4, Sy.No.118/7/1, Sy.No.118/4 admeasuring Ac.0.23 gts, 3rd petitioner land in Sy.No.115/E/5, Sy.No.117/A/5, Sy.No.118/6, Sy.No.118/7/2

admeasuring Ac.0.23 gts, 4th petitioner land in Sy.No.115/E, Sy.No.116/E/3, Sy.No. 117/A/3, Sy.No. 118/3 admeasuring Ac.0.23 gts, 5th petitioner land in Sy.No.116/E/1, Sy.No.117/A/1, Sy.No.118/8 Admeasuring Ac.0.19 gts and 6th petitioner land in Sy.No.115/A7/1, Sy.No.116/E/10, Sy.No.117/A/9, Sy.No.118/10 admeasuring Ac.0.23 gts of Waddepalli Village and Mandal, as illegal and consequently direct the 2nd respondent to forthwith.

IA NO: 1 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents to forthwith pass orders on the applications filed by the petitioner for grant of Occupancy rights certificate.

Counsel for the Petitioner(s): SRI K. RATHANGA PANI REDDY

Counsel for the Respondents: GP FOR REVENUE

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE MUMMINENI SUDHEER KUMAR

WRIT PETITION No.18234 of 2022

ORDER:

This Writ Petition is filed questioning the action of second respondents in not considering the application submitted by the petitioners under Sub-Rule (2) of Rule 6 for granting of Occupancy Rights Certificate (ORC) under Section 38 E of Andhra Pradesh (Telangana State) area Tenancy and Agricultural Lands Act, 1950 in respect of the subject lands. However, the second respondent is not considering the submitted applications but the second respondent is considering the application and without taking any action on the ground that there is a circular not to deal with the land matters.

2. The learned Government Pleader submitted that Chief Commission of Land Administration has nothing to do with the applications filed under the provisions of *Andhra Pradesh (Telangana Area) Tenancy and Agricultural Lands Act, 1950* and the second respondent is under the obligation to consider the application, in view of the same,

the Writ Petition is disposed of directing the second respondent to consider the application submitted by the petitioner for granting ownership in respect of the land of the first petitioner in Survey No.115/A/1, Survey No.116/E/2, Survey No.117/A/7 admeasuring Ac.0.10 gts, second petitioner's land in Survey No.116/E/4, Survey No.117/A/4, Survey No.118/7/1, Survey No.118/4 admeasuring Ac.0.23 gts, third petitioner's land in Survey No.115/E/5, Survey No.117/A/5, Survey No.118/6, Survey No.118/7/2 admeasuring Ac.0.23 gts, fourth petitioner's land in Survey No.115/E, Survey No.116/E/3, Survey No.117/A/3, Survey No.118/3 admeasuring Ac.0.23 gts, fifth petitioner's land in Survey No.116/E/1, Survey No.117/A/1, Survey No.118/8 admeasuring Ac.0.19 gts and sixth petitioner's land in Survey No.115/A7/1, Survey No.116/E/10, Survey No.117/A/9, Survey No.118/10 admeasuring Ac.0.23 gts of Waddepalli Village and Mandal and pass appropriate orders within a period of two (2) months from the date of receipt of a copy of this order. There is no order as to costs.

3. The miscellaneous petitions pending, if any,
shall stand closed.

//TRUE COPY//

SD/-I.NAGALAKSHMI
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, State of Telangana, Secretariat Buildings, Hyderabad.
2. The Revenue Divisional Officer, Gadwal, Jogulamba Gadwal District.
3. One CC to SRI K. RATHANGA PANI REDDY Advocate [OPUC]
4. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad. [OUT]
5. Two CD Copies.
6. One spare copy.

NPJ

HIGH COURT

DATED:18/04/2022

ORDER

WP.No.18234 of 2022



DISPOSING OF THE WRIT PETITION
WITHOUT COSTS.

⑧ VW
6/5/22