

THE HON'BLE THE CHIEF JUSTICE UJJAL BHUYAN

AND

THE HON'BLE SRI JUSTICE C.V.BHASKAR REDDY

**W.A.Nos.993 & 1024 of 2014 and W.A.Nos.875, 873, 872
& 871 of 2022**

COMMON JUDGMENT: *(Per the Hon'ble the Chief Justice Ujjal Bhuyan)*

Heard Mr. Y.Rama Rao, learned counsel for the appellant and Mr. Ramchandra Reddy, learned counsel for respondents/writ petitioners.

2. All the writ appeals have been preferred assailing the common order dated 21.02.2014 passed by the learned Single Judge allowing Writ Petition Nos.19673 of 2006 and batch.

3. Learned counsel for the parties submit that the present writ appeals are squarely covered by the order dated 30.08.2022 passed by this Court in Writ Appeal No.580 of 2022 **(Vice Chairman, HMDA, Dilkush Guest House, Hyderabad v. G.Pushpavathi)**.

4. Relevant portion of the order dated 30.08.2022 is extracted hereunder:

“4. As noticed above, the said writ petition was heard along with several other writ petitions, the lead case being W.P.No.19673 of 2006. Learned Single Judge took great pains in tracing the case history. Briefly put, it may be mentioned that Industrial Employees Cooperative House Building Society, Bandlaguda (briefly, ‘the Society’ hereinafter) was formed in the year 1980 and thereafter it had acquired vast tracks of land in the year 1982 in Tellapur, Ameenpur and Patancheru villages of Medak District. After mutation was carried out in the revenue records, the Society allotted the lands as house sites to its members between 1982 and 1985. Permission was obtained in the year 1987 for conversion of land from agricultural to non-agricultural purposes, though subsequently cancelled in respect of Ameenpur lands. In the meanwhile, there were several developments, including a series of litigation, pertaining to the land, like cancellation of mutation etc. Moreover, some of the members to whom the Society had allotted land had alienated the house sites.

5. Lands acquired by the Society were patta lands, lands assigned by the Government to landless poor persons, lands assigned by the Government to political sufferers/freedom fighters and lands assigned by the Government to ex-servicemen. Insofar the present litigation is concerned, it is concerned with lands assigned by the Government to landless poor persons.

6. At one point of time, steps were taken for resumption of the lands.

7. In the meanwhile, a House Committee was constituted by the then Andhra Pradesh Legislative Assembly to go into the larger issue of sale of Government lands in Ranga Reddy, Medak and Nalgonda Districts. Lands acquired by the Society were part of the exercise. House Committee submitted report dated 21.07.1999 to the Hon'ble Speaker. One of the recommendations was that Tellapur lands may be given to the members of the Society at nominal market value prevailing in the year 1987. If purchasers were industrial workers, Government may take a lenient view.

8. In the meanwhile, respondents No.1 and 2 along with others had submitted representation before the competent authority for regularisation of their land.

9. However, by G.O.Ms.No.1077, dated 07.08.2007, the representation of respondents No.1 and 2 and others for regularisation of land was rejected. Hence, the writ petition.

10. Learned Single Judge vide the order dated 21.02.2014 allowed the writ petition by setting aside G.O.Ms.No.1077, dated 07.08.2007. The matter was remanded back to the Government to be placed before the Legislative Assembly as per procedure, observing that it was for the Legislative Assembly to consider the recommendations of the House Committee and thereafter take a considered decision in the matter.

11. This writ appeal was filed in the year 2014 and is still pending at the SR stage. On 11.08.2022 Mr. Y.Rama Rao, learned counsel for the appellant was called upon to furnish the list of connected writ appeals arising out of the common order of the learned Single Judge dated 21.02.2014.

12. In the hearing today, learned counsel for the appellant fairly submits that following his search, he could not find any connected writ appeals arising out of the order dated 21.02.2014 filed either by the State of Telangana or by the HMDA. However, he has informed us on the basis of a letter dated 11.08.2022 addressed by the Metropolitan Commissioner, HMDA, to the Collector, Sanga Reddy District, that services of the learned Advocate General would be requisitioned to defend HMDA.

13. From a perusal of the judgment and order of the learned Single Judge dated 21.02.2014, we find that the State was defended by the learned Advocate General in the proceedings held before the learned Single Judge.

14. Thus on a thorough consideration of all aspects of the matter, we do not find any error or infirmity in the view taken by the learned Single Judge. The decision of the learned Single Judge to refer the matter back to the Government for placing it before the Legislative Assembly to consider the recommendations of the House Committee cannot be faulted. We, therefore, do not find any merit in the writ appeal.”

5. Following the aforesaid decision, we also dismiss the present batch of Writ Appeals. However, there shall be no order as to costs.

6. As a sequel, miscellaneous applications pending, if any, in these Writ Appeals, shall stand closed.

UJJAL BHUYAN, CJ

C.V.BHASKAR REDDY, J

Date: 26.12.2022
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