

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.28953 OF 2019

Date:31.12.2019

Between:

M/s. Aparna Infra Housing Private
Limited and others

.. Petitioners

And

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

.. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P.NAVEEN RAO**WRIT PETITION No.28953 OF 2019****ORDER:**

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

2. On 30.10.2019, a notice under Rule 8 of the Telangana Agricultural Land (Conversion for Non-Agricultural Purposes) Act, 2006 was issued alleging that the petitioners illegally converted the agricultural land for non-agricultural purpose and why penalty should not be imposed on them. On 15.11.2019, final orders were passed imposing penalty and directing the petitioners to pay an amount of Rs.59,89,500/- towards conversion fee and Rs.29,94,750/- towards penalty. The said notice and the order are challenged in this Writ Petition.

3. According to learned counsel for the petitioners, notice dated 30.10.2019 and the order dated 15.11.2019 are communicated to the petitioners on the same day i.e., on 27.11.2019 and on this ground alone, the said notice and order are not sustainable.

4. Learned Government Pleader fairly submits that even if 30.10.2019 is the date taken as service of notice, still petitioners would have time to submit their explanation.

5. On verification of records produced by learned Government Pleader, time required for the person to respond to the notice did not expire by the time the orders are passed. Therefore, the notice impugned in the Writ Petition is not sustainable.

6. Accordingly, the notice dated 30.10.2019 is set aside and the matter is remanded to the Revenue Divisional Office, Rajendranagar Division, Ranga Reddy District. The petitioners shall file their explanation to the notice dated 30.10.2019 within two weeks from today. If such explanation is filed, the Revenue Divisional Officer shall consider the same and pass appropriate orders in accordance with law by dealing with the objections raised by the petitioners. Till a decision is made, no coercive action shall be taken against the petitioners.

7. Accordingly, the Writ Petition is allowed. Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

P.NAVEEN RAO, J

Date:31.12.2019

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