

HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTY FIRST DAY OF OCTOBER

TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

WRIT PETITION NO: 38538 OF 2022**Between:**

Salla Chandra Reddy, S/o. Ramreddy, Occ. Agriculture, R/o. H No. 1-2-9, Street No. 2, Kakatiya Nagar, Habsiguda, Hyderabad

...PETITIONER

AND

1. The State of Telangana, Rep by its Principal Secretary, Revenue Department Secretariat Buildings, Hyderabad.
2. The District Collector, Medchal Malkajgiri District at ORR Shameerpet Medchal Malkajgiri District.
3. The Revenue Divisional Officer, Kesara Revenue Division, Keesara, Medchal Malkajgiri District
4. The Tahsildar, Uppal Mandal, Uppal, Medchal Malkajgiri 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 action of the respondents in not granting Occupancy Right Certificate (ORC) in favour of the petitioner the land in Sy No. 77 an extent of Ac. 1.09 guntas situated at Uppal Bagath Village, Uppal Mandal, Medchal Malkajgiri District is illegal, arbitrary, contrary to the provisions of Telangana State Abolition of the Inams Act 1955 and as well as the blatant violation of the fundamental rights guaranteed under the Constitution of India consequently direct the respondents to grant Occupancy Right Certificate (ORC) to the petitioner for the above said land,

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 3rd respondent to grant Occupancy Right Certificate (ORC) to the petitioner the land in Sy No. 77 an extent of Ac. 1.09 guntas situated at Uppal Bagath Village, Uppal Mandal, Medchal Malkajgiri District forthwith, pending disposal of the above writ petition,

Counsel for the Petitioner: SRI. A JAGAN**Counsel for the Respondents: GP FOR REVENUE****THE COURT MADE THE FOLLOWING ORDER:**

HON'BLE SRI JUSTICE K. LAKSHMAN

WRIT PETITION No.38538 of 2022

ORDER:

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Revenue.

2. This Writ Petition is filed to declare the action of the respondents in not granting Occupancy Right Certificate (ORC) in favour of the petitioner's land in Sy.No.77 admeasuring Ac.1-09 gts situated at Uppal Bagath Village, Uppal Mandal, Medchal Malkajgiri District as illegal, arbitrary and consequently direct the respondents to grant Occupancy Right Certificate (ORC) to the petitioner for the aforesaid land.

3. The petitioner herein is claiming that he is absolute owner and possessor of land admeasuring Ac.1-09 gts in Sy.No.77 situated at Uppal Bagath Village, Uppal Mandal, Medchal Malkajgiri District. According to him, it is inam land. He is in possession of the property from 01.11.1973. His name and his father's name has been reflected in the revenue records. Therefore, he is entitled for ORC. He had submitted written representation dated 22.03.2018 to the 3rd respondent with a request to issue ORC in respect of aforesaid land. Despite receiving and acknowledging the said representation, the 3rd

respondent did not act upon the same. Therefore the present Writ Petition.

4. Whereas, Learned Assistant Government Pleader for Revenue, on instructions, would submit that the 3rd respondent will consider the same and pass appropriate orders in accordance with law.

5. In view of the aforesaid discussion, this writ petition is disposed of directing the 3rd respondent to consider the aforesaid written representation dated 22.03.2018 submitted by the petitioner and pass appropriate orders strictly in accordance with law as expeditiously as possible by putting the petitioner and all effected parties on notice and affording them an opportunity of hearing. If the 3rd respondent is not inclined to accept the request made by the petitioner vide aforesaid representation dated 22.03.2018, he shall assign specific reasons and pass a reasoned order, communicate copy of the order to the petitioner herein. There shall be no order as to costs.

As a sequel, miscellaneous petitions, if any, pending in the Writ Petition shall stand closed.

SD/- T. JAYASREE
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, State of Telangana, Secretariat Buildings, Hyderabad.
2. The District Collector, Medchal Malkajgiri District at ORR Shameerpet Medchal Malkajgiri District.
3. The Revenue Divisional Officer, Kesara Revenue Division, Keesara, Medchal Malkajgiri District
4. The Tahsildar, Uppal Mandal, Uppal, Medchal Malkajgiri District.
5. One CC to SRI. A JAGAN Advocate [OPUC]
6. Two CCs to GP FOR REVENUE (TG) ,High Court for the State of Telangana. [OUT]
7. Two CD Copies

HIGH COURT

KLJ

DATED: 31/10/2022

ORDER



WP.No.38538 of 2022

WP IS DISPOSSED OF WITHOUT COSTS