



SRI F. ASHOK GOUD  
S.V.L.NO.15-22-024/2000  
RL.NO. 15-22-015/2012  
H.NO.2-31/6/A  
TARA NAGAR, SERTLINGAMPALLY  
RANGA REDDY DISTRICT  
LICENSE NO. 39/2012



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TELANGANA

BEFORE NATIONAL GREEN TRIBUNAL  
SOUTHERN BENCH AT CHENNAI  
ORIGINAL APPLICATION NO. 182 OF 2020

IN THE MATTER OF:

Dr. NAGAM JANARDHAN REDDY & ORS.....

...Applicants

Versus

STATE OF TELANGANA & ORS

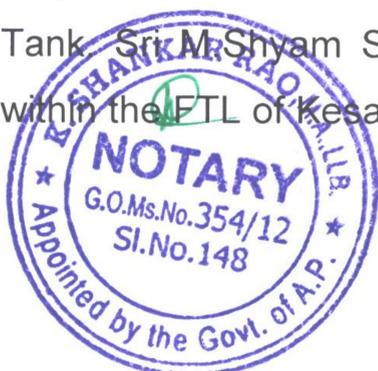
...

....Respondents

**AFFIDAVIT OF OBJECTIONS BY APPLICANTS  
ON THE REPORT OF THE JOINT COMMITTEE**

I, Dr. Nagam Janardhan Reddy S/o Late Nagam Venkat Reddy, R/o 23C, Hill Ridge Villas, Near ISB, Gachibowli, Hyderabad, Telangana-500032, aged about 72 years presently in Hyderabad do hereby solemnly affirm and declare as under:

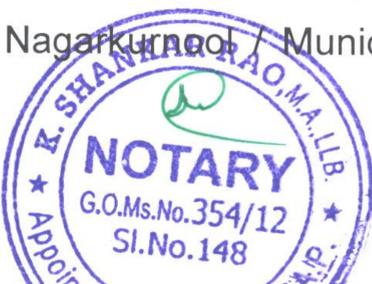
1. That I am the Applicant No.1 in the above mentioned application and I am fully conversant with the facts and circumstances of the case and therefore competent and authorized to swear this affidavit on behalf all the applicants.
2. That I have read the Report dated 7.1.2021 filed by the Joint Committee appointed by the Hon'ble Tribunal. That the Applicant would like to respond para wise to the report as under:
3. Para – 1 to 6 - No remarks
4. Para – 7 - CPCB Water Quality Criteria of Kesarisamudram, Nagarkurnool is found to be **“polluted”** because the entire sewage water of Nagarkurnool town except from few localities discharged into the Lake.
5. Para – 8: That the Joint Inspection Committee stated that the sewage has been discharged from two inlets.
6. Para – 9 (1) Annexure-1 Sl.No.31 the extent of the land shown as 14.4 x 13.6 meters is reported wrongly. This entire land is of acres 2.0 in Sy.No.39/E purchased from Sri Mohammad Jaffar Ali vide registered sale deed 2624/2018 (1) dt 18.04.2018 of SRO Nagarkurnool (1409) by G Shalini and Repala Divya Sundara both are closely related to Sri M.Shyam Sunder against whom an FIR is registered, (Smt.G Shalini is his daughter and Smt Repala Divya Sundara is his daughter-in-law). This entire 2.0 acres of land falls within the FTL of Kesarisamudram Irrigation Tank. Sri M.Shyam Sunder who has purchased land in Sy.No.3 of Nagarkurnool within the FTL of Kesarisamudram Tank of Nagarkurnool and filled with soil raising



*N. Reddy*

retaining wall and a case is pending trial vide CC.No.290/2016 in Muncif Magistrate Court, Nagarkurnool (FIR No.120/2016 on 04.05.2016 in Police station Nagarkurnool). Though the case was pending he has purchased another piece of land in the name of his family members i.e. Smt.G Shalini daughter and Smt Repala Divya Sindhura his daughter-in-law and other side i.e. Yendabetla side of IrrigationTank of Nagarkurnool and constructed the massive house and compound wall within the FTL limits by filling the submerged land with red soils. That the building was surrounded by water of Kesarisamudram lake during monsoon of 2020. Though several news reports were published in the Telugu newspapers exposing the illegality and damage caused to the water body, no officer of irrigation or municipality have taken any preventive steps from the construction of three storied big farm-house encroaching the FTL of Kesarisamudram Tank of Nagarkurnool.

7. Para – 10 Tummalakunta (Chowta Kunta): In the report it was mentioned about the breaching / removal of tank bund for about 100 meters, it was breached with the help of proclainers and tractors by self-interested persons/realtors who have purchased land in the tank bed of the Tummalakunta for converting the water body into real estate purpose and laying plots. A criminal case is registered against unknown accused vide FIR No.176/2019 dt 11.08.2019 and particulars of persons in the charge sheet are not mentioned in this report and till today there is no action taken to reconstruct the tank-bund. That there is no objection to the restoration of the water body by the irrigation and revenue authorities. The Joint Committee would have suggested the proposal for restoration of the water body. But it has not specified the action plan for the restoration of the water body. This shows that the authorities are not interested to protect the water bodies even after the intervention of this Hon'ble Tribunal and they are influenced by the self-interested persons.
8. Para – 11 & 12 Putnalakunta: The weir of the Putnalakunta is removed for the purpose of making the tank bed for laying plots. It is neither reported nor is action taken/suggested.
9. Para – 13 Saddalsaabkunta: Though the Joint Committee stated that illegal layouts are noticed by the officials but no action has taken.
10. That the authorities misleadingly stated by not giving the particulars of all illegal buildings. They have mentioned old buildings since 50 years etc but they did not mention about the clear particulars about the very recent encroachments/illegal buildings to mislead this Hon'ble Tribunal.
11. Para – 14 No Remarks –
12. It is submitted that all the cases before the Hon'ble High Court for the State of Telangana are disposed of with specific directions to the District Collector Nagarkurnool / Municipal Commissioner, Nagarkurnool. That there is no order to



*(Handwritten Signature)*

protect the illegal constructions/structures which have caused damage to the water body.

The Chart showing the particulars of the cases referred in the Joint Inspection Committee Report and the orders of the Hon'ble High Court for the State of Telangana are annexed as ANNEXURE A-1.(Colly).

13. The entire land in Sy.No.39/E falls within the FTL of Kesarisamudram. Smt.G Shalini W/o G Srinivas and Smt. Divya Sindura D/o Srinivasa Rao have purchased the 2.0 acres of land from Sri Mohd Jaffar and the remaining lands of him in Sy No. 39/E also within the FTL of Kesarisamudram, Nagarkurnool. The certificate issued by AEE, Irrigation department has clearly mentioned that the land in Sy.No. 39/E of Shyam Sunder related to Shalini and Divya Sindura is within FTL of Kesarisamudram.
14. The Gram Panchayat permission submitted by Smt. G Shalini and Smt Divya Sindura are forged and there is no Permission / File No and no NALA Permission as on the date and also there is no Gram Panchayat Resolution.
15. That the Summary report consisting the table at the end of the report states that none of the 31 constructions are constructed in approved layouts. Some of the layouts are very old. It is further submitted that the One Mr. Hanuma Naik, Revenue Divisional Officer, Nagarkurnool has issued NALA Permissions but subsequently that permissions were recommended by the successor Revenue Divisional Officer to the District Collector Nagarkunool for cancellation. This shows that some of the authorities have shown favoritism to the real estate mafia.
16. That the Applicant reserves the right to file further affidavits on the subsequent reports filed by the authorities.
17. In the above circumstance, Applicants prays for the appropriate orders and appoint an independent external committee in the interest of the justice.

  
DEPONENT

**VERIFICATION:-**

Verified on this the 25<sup>th</sup> day of February, 2021 that the contents of the above affidavit are true and correct. No part of it is false and nothing material has been concealed therefrom.



  
DEPONENT

**DETAILS OF CASE WISE PETITIONERS & RESPONDENTS**

<b>Sl. No.</b>	<b>Case No &amp; Date</b>	<b>Petitioners</b>	<b>Respondents</b>	<b>Submissions of the extracts of the Orders of the Hon'ble High Court Telangana</b>
<b>1 A</b>	WP No 2596 of 2020 dt 07.02.2020	1). G.Shalini, W/o G.Srinivas 2). R.Divya Sindhura D/o Srinivasa Rao	1). The State of Telangana, Rep. by its Principal Secretary (Revenue Depalment), Secretariat Building, Hyderabad. 2). The District Collector, Nagarkumool District 3). The Revenue Divisional Officer, Nagarkurnool Division, Nagarkumool 4). The Tahsildar' Nagarkurnool Mandal and Dist	It is submitted to issue a writ order declaring the action of the respondents in interfering with the petitioners possession over land admeasuring Ac.02-00 guntas in Sy.No. 39/ EE situated at Yendabetla Village, Nagarkurnool Mandal and District. In the meanwhile, there shall be interim direction as prayed for.
<b>1 B</b>	WP No 2596 of 2020 dt 14.02.2020	1). G.Shalini, W/o G.Srinivas 2). R.Divya Sindhura D/o Srinivasa Rao	1). The State of Telangana, Rep. by its Principal Secretary (Revenue Depalment), Secretariat Building, Hyderabad. 2). The District Collector, Nagarkumool District 3). The Revenue Divisional Officer, Nagarkurnool Division, Nagarkumool 4). The Tahsildar' Nagarkurnool Mandal and Dist	Since it is stated that petitioners have already filed explanation on 13.01.2020 to the impugned show cause notice, without expressing any opinion on merits, writ petition is disposed of directing the 2nd respondent / District Collector Nagarkurnool to consider the said explanation and pass appropriate orders in accordance with law. Till then, respondents shall not interfere with the possession of the petitioners over the subject land, and the petitioner also shall not carry out any activity other than agriculture. Interlocutory applications pending, if any, shall stand closed. No order as to costs. <b>It is submitted that by raising the land in the FTL filling with soils and constructed one 3 storied building without NALA permission and with fake Gram Panchayat permission no file No &amp; GP Resolution.</b> <b>Kindly see Sl.No. 31 in Page No. 31 of summary report of Joint Committee</b>

Sl. No.	Case No & Date	Petitioners	Respondents	Submissions of the extracts of the Orders of the Hon'ble High Court Telangana
2	<p><b>a)</b> WP No. 14826 of 2020 dt 09.09.2020</p> <p><b>b)</b> WP No. 14826 of 2020 dt 09.10.2020</p>	Mididdi Shyam Sunder S/o M.Narasimhaiah	<ol style="list-style-type: none"> <li>1) The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat Buildings, Hyderabad.</li> <li>2) The District Collector, Nagarkurnool District, Nagarkurnool.</li> <li>3) The Revenue Divisional Officer, Nagarkurnool District, Nagarkurnool.</li> <li>4) The Mandal Revenue Officer, Nagarkurnool District, Nagarkurnool.</li> <li>5) The Regional Deputy Director, Of Town &amp; Country Planning, DTCP Building 2nd Floor, 640 A.C.Guards, Masab Tank, Hyderabad.</li> </ol>	<p><b>a)</b> Affidavit filed requesting the Hon'ble High Court Telangana to issue a Writ, Order for processing in file No. E/1489/2016, admeasuring total of acres 8-20 guntas agricultural land for conversion under NALA Act of 2006 The Court made the following: ORDER Heard Perused the record. Learned Assistant Government Pleader for Revenue takes notice on behalf of respondent Nos.1 to 4 (Revenue department) Issue notice to respondent No.5 (Regional Dy Director of Town &amp; Country Planning) Personal notice by RPAD is also permitted. Post on 23.09.2020.</p> <p><b>b)</b> The 4th respondent/ Tahsildar, vide Lr.No. B/325/2015, dated 16.09.2020, reported to the 3rd respondent that recently both irrigation and revenue teams have surveyed the lands around Kesari Samudram Cheruvu, Nagarkurnool, and also marked out FTL and Buffer Zone of Kesari Samudram Cheruvu. According to the said survey the entire Sy.No.3 of Nagarkurnool Village is falling within the FTL Zone of KesarisamudramCheruvu. The Deputy Executive Engineer, I.B.Division, vide Lr,No.Dy'EE/IBSD/NGKL/72, dated 11/09/2020 also reported that the land in Sy No 3 of Nagarkurnool Village falls under Full Tank Level of Kesari Samudram Cheruvu. Therefore, the application filed by the vendors of the</p>

				<p>petitioner was rejected by the 3rd respondent / Revenue Divisional Officer, Nagarkurnool, vide Proceeding No.E/1489/2016, dated 16/09/2020.</p> <p>A copy of the proceedings issued by the 3rd respondent/Revenue Divisional Officer, Nagarkurnool, vide Proceeding No.E/1489/2016, dated 16.09.2020, is produced before this Court. The submissions made by the learned Assistant Government Pleader for Revenue are supported by copies of documents filed before this Court. In the given circumstances of the instant case, since the application filed by the vendors of the petitioner to convert the subject land for non-agricultural use was rejected by the 3rd respondent/Revenue Divisional Officer, Nagarkurnool, vide Proceeding No.E/1489/ 2016, dated 16.09.2020, no orders need be passed in this writ petition. The petitioner is granted liberty to work out the remedies available to him under law. With the above observation, this writ petition is disposed of.</p> <p><b>It is submitting that the Case is disposed of. Kindly see the paras 4, 5 &amp; 6 of the Order in Judgment WP14826 dt 09.10.2020</b></p> <p><b>Kindly see Sl.No 1 in Page No. 24&amp;25 of Joint Committee Report</b></p>
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Sl. No.	Case No & Date	Petitioners	Respondents	Submissions of the extracts of the Orders of the Hon'ble High Court Telangana
3	WP No 18872 of 2020 dt 10.11.2020	Mididdi Shyam Sunder S/o M.Narasimhaiah	<ol style="list-style-type: none"> <li>1) The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat Buildings, Hyderabad.</li> <li>2) The District Collector, Nagarkurnool District, Nagarkurnool.</li> <li>3) The Revenue Divisional Offrcer, Nagarkurnool 4District, Nagarkunool.</li> <li>4) The Mandal Revenue Offrcer, Nagarkumool District, Nagarkurnool.</li> <li>5) The Regional Deputy Director, Of Town &amp; Country Planning, Hyderabad.</li> <li>6) The Dy. Executive Engineer (I B Divn), Irrigation Department, Nagarkurnool District.</li> </ol>	<p>The High Court may be pleased to issue a Writ, order or direction, more particularly a Writ in the nature of Certiorari, calling for the records pertaining to letter dated: 16/09/2020 vide proceedings No.E/1489/2016 and quash it</p> <p>THE COURT MADE THE FOLLOWING ORDER:</p> <p>Heard, Perused the record.</p> <p>Notice before admission.</p> <p>Learned Assistant Government Pleader for Revenue takes notice on behalf of respondent Nos.1 to 4 and seeks time to get instructions,</p> <p>Post on 01.12.2020.</p> <p><i>It is submitted that for the same matter came before the Hon'ble High Court in WP No.14826 of 2020 and entire extent of Sy. No. 3 is within the FTL of Kesarisamudram Tank..</i></p> <p><i>This WP is filed as the Hon'ble High Court in its order in case no WP 14826 dt 09.10.2020 granted the petitioner to work out the remedies available to him under law.</i></p> <p><i>Kindly see the Paras 4, 5 and 6 in WP 14826 dt 09.10.2020 of the order of the Hon'ble High Court of Telangana</i></p> <p><b>Note: Kindly see the Sl.No 1 in Page No. 24 &amp; 25 of Joint Committee Report</b></p>

Sl. No.	Case No & Date	Petitioners	Respondents	Submissions of the extracts of the Orders of the Hon'ble High Court Telangana
4	WP No 21887 of 2020 dt 03.12.2020	1) Mididdidi Shyam Sundar, S/o. Mr. M. Narasimhaiah, Nagarkurnool 2) Dr.G.Shalini, W/o.G.Srinivas, Nagarkurnool 3) Mrs.Divya Sindura, W/o.M.Sharath, Nagarkurnool 4) N.Vishnu Murthy, S/o.Late.Chandrah, Aged about 59 years, Occ. Advocate, R/o.H.No.1 I-9-117, Road No.2, Laxmi Nagar Colony, Kothapet, Hyderabad	1) The State of Telangana, Rep. by its Principal Secretary, Municipal Administration and Urban Development, Secretariat Buildings, Hyderabad 2) The Nagarkurnool Municipality, Rep By Its Cornmissioner, Nagarkurnool Town and District 3) The State ofTelangana, Rep. by its Principal Secretary, Revenue Department, Secretariat Buildings, Hyderabad. 4) The District Collector, Nagarkurnool District, Nagarkurnool. 5) The Revenue Divisional Officer, Nagarkurnool Division, Nagarkurnool District. 6) The Mandal Revenue Officer, Nagalkurnool Mandal, Nagarkurnool District. 7) The Regional Deputy Director, OITown and Country Planning, DTCP Building 2nd Floor, 640, A.C.Guards, Masab Tank, Hyderabad. 8) The Dy. Executive Engineer (I B Divn), Irrigation Department, Nagarkurnool Disitric	<p>“In view of the fact that the impugned notices have been issued without putting the petitioners on notice and calling for their explanations, the impugned notices may be treated as show cause notices, the petitioners are directed to submit their explanations to the impugned notices raising their objections, which they deem fit, within a period of two weeks from the date of receipt of a copy of this order. On receipt of such explanations, the official respondents shall consider the same and pass necessary orders strictly on merits, in accordance with law. It is needless to mention that before passing any orders, the petitioners shall be given an opportunity of hearing. A copy of the order passed by the official respondents shall be communicated to the petitioners. Till such time the final orders are passed, the official respondents shall not take any coercive steps against the petitioners.</p> <p>The writ petition is accordingly disposed of”.</p> <p><b>It is submitted that this WP 21887 dt 03.12.2020 is disposed of with the direction to treat these notices as show cause notices and 2 weeks' time is granted and directed the respondents to give opportunity to the petitioners for hearing.</b></p> <p><b>Kindly see the paras 5 &amp; 6 of the Order.</b></p> <p><b>It is submitted there is no mention of case WP No 21887 of 2020 dt 03.12.2020 in the Joint Committee Report</b></p>

Sl. No.	Case No & Date	Petitioners	Respondents	Submissions of the extracts of the Orders of the Hon'ble High Court Telangana
5	WP No 22231 of 2020 dt 04.12.2020	M.Laxmi, Wo. Gopal	<ol style="list-style-type: none"> <li>1) The State of Telangana, Rep. by its Principal Secretary, Municipal Administration and Urban Development Department, Secretariat Buildings, Hyderabad.</li> <li>2) The Commissioner, Nagarkurnool Municipality, Nagarkurnool District, (Mahabubnagar).</li> </ol>	<p>Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the respondents not to interfere / dispossess the petitioners house bearing No.12-156/6/3 an extent of (167.63 square yards) situated at Nagarkurnool Municipality, Nagarkurnool District (Mahaboobnagar District) forthwith, pending disposal of wP.No.22231 of 2020, on the file of the High Court.</p> <p>Notice before admission.</p> <p>Learned Standing Counsel appearing for respondent No.2 is directed to get necessary instructions by the next date of hearing.</p> <p>Learned counsel for the petitioner is directed to file the photographs of the structures, which the petitioner claims to have constructed in the subject lands.</p> <p>Post on 09.12.2020</p> <p><b>Note: Kindly see Sl.No.12 in Page No. 29 of Joint Committee Report</b></p>

**Details of NALA permissions/Layout approvals issued within the FTL and Buffer zone of water bodies covered under Hon'ble NGT O.A.No. 182/2020.**

Sl. No	Name of Village	Sy. No.	Remarks of Irrigation - NOC	Remarks of Revenue - Nala Conversions	Remarks of municipality - Layout Approvals	Remarks / Submissions of the Applicants before the Hon'ble NGT
1	Nagarkurool	360	No NOC was issued	The District collector Nagarkurnool issued notices for cancelation of NALA permission vide Letter No. Lr.No. DI/1871/2019 Dt: 05.12.2020.	Not issued any Layout Approvals	Layouts still existing
2	Nagarkurool	23	No NOC was issued	The District collector Nagarkurnool issued notices for cancelation of NALA permission vide Letter No. Lr.No. DI/1871/2019 Dt: 05.12.2020.	Not issued any Layout Approvals	Layouts still existing
3	Uyyalawada	28, 29, 38, 39	No NOC was issued	The District collector Nagarkurnool issued notices for cancelation of NALA permission vide Letter No. Lr.No. DI/1871/2019 Dt: 05.12.2020.	Not issued any Layout Approvals	Layouts and structures are still existing
4	Cherla Thirmalapur	161	No NOC was issued	The Revenue Divisional officer, Nagarkurnool vide Lr.No.A/2300/2019 dt: 25.11.2020, requested the District Collector, Nagarkurnool to issue order for Cancellation of NALA permission.	Not issued any Layout Approvals	Pending before the District Collector, Nagarkurnool
5	Yendabetla	39	No NOC was issued	The District collector Nagarkurnool issued notices for cancelation of NALA permission vide Letter No. D1/1870/2019 Dt:31.12.2019.	Not issued any Layout Approvals	It is within the FTL and very recently after the order of the Hon'ble NGT filled with soils and raising the tank-bed for layout
6	Yendabetla	39	No NOC was issued	The District collector Nagarkurnool issued notices for cancelation of NALA permission vide Letter No. D1/1870/2019 Dt:31.12.2019.	Not issued any Layout Approvals	It is within the FTL, after filling with soils and raising the tank-bed and constructed 3 storied big farm-house against the Hon'ble High Court Order in WP 2596 of 2020 dt 09.10.2020

**HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD**

FRIDAY, THE SEVENTH DAY OF FEBRUARY  
TWO THOUSAND AND TWENTY

**:PRESENT:  
THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY**

**WRIT PETITION NO: 2596 OF 2020**

**Between:**

1. G. Shalini, W/o. G. Srinivas
2. R. Divya Sindhura, D/o. Srinivasa Rao,

....Petitioners

**AND**

1. The State of Telangana, Rep. by its Principal Secretary (Revenue Department), Secretariat Building, Hyderabad.
2. The District Collector, Nagarkurnool District
3. The Revenue Divisional Officer, Nagarkurnool Division, Nagarkurnool
4. The Tahsildar, Nagarkurnool Mandal and 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 a Writ, Order or Direction more particularly one in the nature of "Writ of Mandamus" declaring the action of the respondents in interfering with the petitioners possession over land admeasuring Ac. 02-00 guntas in Sy.No. 39/ EE situated at Yendabetla Village, Nagarkurnool Mandal and District.

**IA NO: 1 OF 2020**

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct respondents not to interfere with the petitioners possession over land admeasuring Ac. 02-00 guntas in Sy.No. 39/EE situated at Yendabetla Village, Nagarkurnool Mandal and District, Pending disposal of WP.No.2596 of 2020, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI.A.KRANTI KUMAR REDDY Advocate for the Petitioner and AGP FOR REVENUE (TG) for Respondent Nos. 1 to 4, the Court made the following.

**ORDER**

**Heard the learned counsel for the petitioners.**

**Learned Assistant Government Pleader for Revenue, seeks time for instructions.**

**Post after one week in the motion list.**

**In the meanwhile, there shall be interim direction as prayed for.**

//TRUE COPY//

Sd/- M. MANJULA  
ASSISTANT REGISTRAR

SECTION OFFICER

**To**

1. The Principal Secretary (Revenue Department), State of Telangana, Secretariat Building, Hyderabad.
2. The District Collector, Nagarkurnool District
3. The Revenue Divisional Officer, Nagarkurnool Division, Nagarkurnool
4. The Tahsildar, Nagarkurnool Mandal and District (RR-1 to 4 by RPAD)
5. One CC to SRI.A.KRANTI KUMAR REDDY Advocate [OPUC]
6. Two CCs to GP FOR REVENUE (TG) ,High Court Of Judicature at Hyderabad. [OUT]
7. One spare copy

HIGH COURT

ARR,J

DATED: 7.2.2020

NOTE: POST AFTER ONE WEEK  
IN THE MOTION LIST

WP.NO.2596 OF 2020

INTERIM DIRECTION



**(SHOW CAUSE NOTICE BEFORE ADMISSION)  
HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD**

WEDNESDAY, THE NINTH DAY OF SEPTEMBER  
TWO THOUSAND AND TWENTY

:PRESENT:  
**THE HON'BLE DR. JUSTICE SHAMEEM AKTHER**

**WRIT PETITION NO: 14826 OF 2020**

**Between:**

Mididdidi Shyam Sundar, S/o. Mr. M. Narasimhaiah,

....Petitioner

**AND**

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat Buildings, Hyderabad.
2. The District Collector, Nagarkurnool District, Nagarkurnool.
3. The Revenue Divisional Officer, Nagarkurnool District, Nagarkurnool.
4. The Mandal Revenue Officer, Nagarkurnool District, Nagarkurnool.
5. The Regional Deputy Director, Of Town & Country Planning, DTCP Building 2nd Floor, 640 A.C.Guards, Masab Tank, Hyderabad.

....Respondents

WHEREAS the Petitioner above named through his Advocate M/S.VIJAY B PAROPAKARI presented this 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 a Writ, order or direction, more particularly a Writ in the nature of Mandamus, declaring the action of the respondents, more particularly that of the 3rd Respondent in not processing the application for conversion made by my vendor way long back in 2015 as is evident from File No. E/1489/2016, and Letter No. C/325/2016, dated April, 2016, U/s 3 of the then A.P Agricultural Land (Conversion for non-agricultural purposes) Act, 2006 for Short NALA Act, for land in S.No. 3/AA admeasuring Ac.3-20 Gts. and S. No. 3/AA, adneasuring Ac. 0-10 Gts., S. No. 3/e, admeasuring Ac. 1-00 Gts., S. No. 3/AA, admeasuring 1-10 Gts., S. No. 3/A, admeasuring Ac.0-10 Gts. and S. No. 3/AA admeasuring Ac. 1-10 Gts., totally admeasuring Ac. 8-20 Gts., situated at Nagarkurnool, Telangana, is challenged in this Writ Petition as being arbitrary, illegal, violative of Articles 14, 19 (1) (g), 21 and 300-A of the Constitution of India and consequently direct the 3rd Respondent forthwith to accord permission for conversion of agricultural land covered by S. No. 3/AA admeasuring Ac.3-20 Gts. and S. No. 3/AA, admeasuring Ac.0-10 Gts. S. No. 3/e, admeasuring Ac.1-00 Gts., S. No. 3/AA, admeasuring 1-10 Gts., S. No. 3/A, admeasuring Ac.0-10 Gts. and S. No. 3/AA admeasuring Ac. 1-10 Gts., totally admeasuring Ac. 8-20 Gts., situated at Nagarkurnool, Telangana, as per the report of 4th Respondent in Letter No. C/325/2016 dated 04.2016 and the Land Use Plan prepared by District Town and Country Planning department.;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of M/s.VIJAY B PAROPAKARI Advocate for the Petitioner, and learned Assistant Government Pleader for Revenue who takes notice on behalf of respondent Nos.1 to 4 directed issue of notice to the Respondent No.5 herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

The Regional Deputy Director, Of Town & Country Planning, DTCP Building 2nd Floor, 640 A.C.Guards, Masab Tank, Hyderabad.

are directed to show cause on or before 23.09.2020 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

**The Court made the following: ORDER**

15

Heard. Perused the record.

Learned Assistant Government Pleader for Revenue takes notice on behalf of respondent Nos.1 to 4.

Issue notice to respondent No.5.

Personal notice by RPAD is also permitted.

Post on 23.09.2020.

**SD/- N. CHANDRASEKHARA RAO**  
**ASSISTANT REGISTRAR**

//TRUE COPY//

**For ASSISTANT REGISTRAR**

**To**

1. The Regional Deputy Director, Of Town & Country Planning, DTCP Building 2nd Floor, 640 A.C.Guards, Masab Tank, Hyderabad. (BY RPAD along with copy of petition and affidavit)
2. One CC to SRI. VIJAY B PAROPAKARI Advocate [OPUC]
3. Two CCs to GP FOR REVENUE (TG) ,High Court Of Judicature at Hyderabad. [OUT]
4. One spare copy



HIGH COURT

DR.SA.J

DATED: 09.09.2020

NOTE: POST ON 23.09.2020

WP.NO.14826 OF 2020

NOTICE BEFORE ADMISSION



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

17

FRIDAY, THE NINTH DAY OF OCTOBER  
TWO THOUSAND AND TWENTY

PRESENT

THE HONOURABLE DR. JUSTICE SHAMEEM AKTHER

WRIT PETITION NO: 14826 OF 2020

Between:

Mididdidi Shyam Sundar, S/o. Mr. M.Narasimhaiah, Aged about 52 years,  
Occ:Business, R/o. 10-63, Ramnagar Colony, Nagarkurnool District - 509 209.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat Buildings, Hyderabad.
2. The District Collector, Nagarkurnool District, Nagarkurnool.
3. The Revenue Divisional Officer, Nagarkurnool District, Nagarkurnool.
4. The Mandal Revenue Officer, Nagarkurnool District, Nagarkurnool.
5. The Regional Deputy Director, of Town and Country Planning, DTCP Building 2<sup>nd</sup> Floor, 640 A.C.Guards, Masab Tank, Hyderabad.

...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 a Writ, order or direction, more particularly a Writ in the nature of Mandamus, declaring the action of the respondents, more particularly that of the 3<sup>rd</sup> Respondent in not processing the application for conversion made by my vendor way long back in 2015 as is evident from File No. E/1489/2016, and Letter No. C/325/2016, dated April, 2016, U/s 3 of the then A.P Agricultural Land (Conversion for non-agricultural purposes) Act, 2006 for Short 'NALA' Act, for land in S.No. 3/AA admeasuring Ac.3-20 Gts. and S. No. 3/AA, admeasuring Ac. 0-10 Gts., S. No. 3/e, admeasuring Ac. 1-00 Gts., S. No. 3/AA, admeasuring 1-10 Gts., S. No. 3/A, admeasuring Ac.0-10 Gts. and S. No. 3/AA admeasuring Ac. 1-10 Gts., totally4 admeasuring Ac. 8-20 Gts., situated at Nagarkurnool, Telangana, is challenged in this Writ Petition as being arbitrary, illegal, violative of Articles 14, 19 (1) (g), 21 and 300-A of the Constitution of India and consequently direct the 3<sup>rd</sup> Respondent forthwith to accord permission for conversion of agricultural land covered by S. No. 3/AA admeasuring Ac.3-20 Gts. and S. No. 3/AA, admeasuring Ac.0-10 Gts. S. No. 3/e, admeasuring Ac.1-00 Gts., S. No. 3/AA, admeasuring 1-10 Gts., S. No. 3/A, admeasuring Ac.0-10 Gts. and S. No. 3/AA admeasuring Ac. 1-10 Gts., totally admeasuring Ac. 8-20 Gts., situated at Nagarkurnool, Telangana, as per the report of 4<sup>th</sup> Respondent in Letter No. C/325/2016 dated .04.2016 and the Land Use Plan prepared by District Town and Country Planning department

IA NO: 1 OF 2020

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 3<sup>rd</sup> Respondent to collection conversion fee of 10% in terms of Sec 4 (1) of the then A.P. Agricultural Land (Conversion for non-agricultural purposes) Act, 2006

Counsel for the Petitioner: SRI. VIJAY B. PAROPAKARI

Counsel for the Respondents: AGP FOR REVENUE

The Court made the following: ORDER

**THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER**

**WRIT PETITION No.14826 of 2020**

**ORDER:**

This writ petition, under Article 226 of the Constitution of India, is filed by the petitioner, wherein, the following prayer is made.

"...to issue a Writ, order or direction, more particularly a Writ in the nature of Mandamus declaring the action of the respondents more particularly that of the 3rd Respondent in not processing the application for conversion made by my vendor way long back in 2015 as is evident from File No. E/1489/2016 and Letter No.C/325/2016, dated April 2016 U/s 3 of the then A.P. Agricultural Land (Conversion for non-agricultural purposes) Act 2006 for Short NALA Act for land in S No.3/AA admeasuring Ac.3.20 Gts and S.No.3/AA admeasuring Ac.0.10 Gts S.No.3/e admeasuring Ac.1.00 Gts S.No.3/AA admeasuring 110 Gts S.No.3/A admeasuring Ac0.10 Gts and S No.3/AA admeasuring Ac1.10 Gts totally admeasuring Ac.8.20 Gts situated at Nagarkurnool, Telangana is challenged in this Writ Petition as being arbitrary, illegal, violative of Articles 14 19(1)(g), 21 and 300A of the Constitution of India and consequently direct the 3<sup>rd</sup> Respondent forthwith to accord permission for conversion of agricultural land covered by S.No.3/AA admeasuring Ac.3.20 Gts and S.No.3/AA admeasuring Ac.0.10 Gts S.No.3/e admeasuring Ac.1.00 Gts S.No.3/AA admeasuring 110 Gts S No 3/A admeasuring Ac 010 Gts and S No 3/AA admeasuring Ac.110 Gts totally admeasuring Ac.8.20 Gts situated at Nagarkurnool, Telangana, as per the report of 4<sup>th</sup> Respondent in Letter No.C/325/2016. dated 04.2016 and the Land Use Plan prepared by District Town and Country Planning department and pass such other order or orders..."

2. Heard the submissions of the learned counsel for the petitioner, the learned Assistant Government Pleader for Revenue appearing for the respondent Nos.1 to 4 and perused the record.
3. The learned counsel for the petitioner would contend that the petitioner purchased agricultural land admeasuring Acs.8.20 guntas in Sy.Nos.3/AA, 3/A, 3/E, 3/AA, 3/A, 3/E, 3/AA situated at Nagarkurnool Village and Mandal, Nagarkurnool District, from his vendors for valuable consideration and ever since the date of purchase, he has been in peaceful possession and enjoyment of the

subject land. Earlier, the vendors of the petitioner filed an application in the year 2016 before the revenue authorities for conversion of the subject land for non-agricultural use. Based on that application, the 4<sup>th</sup> respondent/Tahsildar, Nagarkurnool, after inspecting the subject land and after collecting reports from the Mandal Revenue Inspector, forwarded the proposal, vide Letter No.C/325/2016, dated 06.04.2016, to the 3<sup>rd</sup> respondent/Revenue Divisional Officer, Nagarkurnool, for conversion of the subject land for non-agricultural use (house sites) in terms of Section 4 of the A.P. Agricultural Land (Conversion of Non Agriculture purpose) Act, 2006, and for taking further action in the matter, In spite of the same, the 3<sup>rd</sup> respondent/Revenue Divisional Officer, Nagarkurnool, has not passed any orders yet on the proposal sent by the 3<sup>rd</sup> respondent/Tahsildar, which is illegal, arbitrary and ultimately requested this Court to direct the 3<sup>rd</sup> respondent/Revenue Divisional Officer, Nagarkurnool, to accord permission for conversion of subject land for non-agricultural use.

**4.** On the other hand, the learned Assistant Government Pleader for Revenue appearing for respondent Nos.1 to 4, on written instructions, would contend that the vendors of the petitioner have applied for conversion of subject agricultural land for non-agricultural use. However, the 4<sup>th</sup> respondent/ Tahsildar, vide Lr.No.B./325/2015, dated 16.09.2020, reported to the 3<sup>rd</sup> respondent that recently both irrigation and revenue teams have surveyed the lands around Kesari Samudram Cheruvu, Nagarkurnool, and also marked out FTL and Buffer Zone of Kesari Samudram Cheruvu. According to the said survey, the entire

Sy.No.3 of Nagarkurnool Village is falling within the FTL Zone of Kesari Samudram Cheruvu. The Deputy Executive Engineer, I.B.Division, vide Lr.No.Dy.EE/IBSD/NGKL/72, dated 11.09.2020, also reported that the land in Sy.No.3 of Nagarkurnool Village falls under Full Tank Level of Kesari Samudram Cheruvu. Therefore, the application filed by the vendors of the petitioner was rejected by the 3<sup>rd</sup> respondent/Revenue Divisional Officer, Nagarkurnool, vide Proceeding No.E/1489/2016, dated 16.09.2020.

5. A copy of the proceedings issued by the 3<sup>rd</sup> respondent/Revenue Divisional Officer, Nagarkurnool, vide Proceeding No.E/1489/2016, dated 16.09.2020, is produced before this Court. The submissions made by the learned Assistant Government Pleader for Revenue are supported by copies of documents filed before this Court. In the given circumstances of the instant case, since the application filed by the vendors of the petitioner to convert the subject land for non-agricultural use was rejected by the 3<sup>rd</sup> respondent/Revenue Divisional Officer, Nagarkurnool, vide Proceeding No.E/1489/ 2016, dated 16.09.2020, no orders need be passed in this writ petition. The petitioner is granted liberty to work out the remedies available to him under law.

6. With the above observation, this writ petition is disposed of. No costs.

Miscellaneous petitions, if any, pending in this writ petition, shall stand closed.

//TRUE COPY//

SD/- K.SAILESHI  
ASSISTANT REGISTRAR

*CR CR*  
SECTION OFFICER

To

1. The Principal Secretary, Revenue Department, State of Telangana, Secretariat Buildings, Hyderabad.
2. The District Collector, Nagarkurnool District, Nagarkurnool.

*contd*

3. The Revenue Divisional Officer, Nagarkurnool District, Nagarkurnool.
4. The Mandal Revenue Officer, Nagarkurnool District, Nagarkurnool.
5. The Regional Deputy Director, of Town and Country Planning, DTCP Building 2<sup>nd</sup> Floor, 640 A.C.Guards, Masab Tank, Hyderabad.
6. One CC to Sri. Vijay B. Paropakari, Advocate [OPUC]
7. Two CCs to GP for Revenue, High Court for the State of Telangana at Hyderabad [OUT]
8. Two CD Copies

Kj.



HIGH COURT

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DATED:09/10/2020



ORDER

WP.No.14826 of 2020

DISPOSING OF THE WRIT PETITION  
WITHOUT COSTS.

SSV  
10 Copies  
Dr 17/10/2020

W.P.NO.2596 OF 2020

ORDER

The 2<sup>nd</sup> respondent – District Collector, issued show notice dated 31.12.2019 calling for the explanation of the petitioners, as to why the permission granted to them vide proceedings dated 10.10.2019 for conversion of subject land from agricultural to non-agricultural purposes, shall not be cancelled, and in pursuance of the said show cause notice, petitioners filed their explanations on 13.01.2020. Now the grievance of the petitioners, is that without considering their explanation, respondents are interfering with their possession over the subject land.

Heard the learned counsel for the petitioner.

Learned Assistant Government Pleaders for Revenue and the Irrigation and Command Area Development submits that the entire land in Sy.No39 situated at Yendabetla village of Nagarkurnool mandal is coming under the buffer zone of Kesari Samudram Irrigation Tank situated at Nagarkurnool mandal and therefore, the impugned show notice has been issued.

Learned counsel for the petitioners disputed the above submission of the learned Assistant Government Pleaders.

Since it is stated that petitioners have already filed explanation on 13.01.2020 to the impugned show cause notice, without expressing any opinion on merits, writ petition is disposed of directing the 2<sup>nd</sup> respondent to consider the said explanation and pass appropriate orders in accordance with law. Till then, respondents shall not interfere with the possession of the petitioners over the subject land, and the petitioner also shall not carryout any activity other than agriculture.

Interlocutory applications pending, if any, shall stand closed. No order as to costs.

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A.RAJASHEKER REDDY,J

DATE:14—02—2020

avs

**(SHOW CAUSE NOTICE BEFORE ADMISSION)**  
**HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD**  
**(Special Original Jurisdiction)**

TUESDAY, THE TENTH DAY OF NOVEMBER TWO THOUSAND AND TWENTY  
**:PRESENT:**

**THE HONOURABLE DR. JUSTICE SHAMEEM AKTHER**  
**WRIT PETITION NO: 18872 OF 2020**

**Between:**

Mididdidi Shyam Sundar, S/o. Mr. M. Narasimhaiah

...Petitioner

**AND**

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat Buildings, Hyderabad.
2. The District Collector, Nagarkurnool District, Nagarkurnool.
3. The Revenue Divisional Officer, Nagarkurnool District, Nagarkurnool.
4. The Mandal Revenue Officer, Nagarkurnool District, Nagarkurnool.
5. The Regional Deputy Director, of Town and Country Planning, DTCP Building 2<sup>nd</sup> Floor, 640 A.C Guards, Masab Tank, Hyderabad.
6. The Dy. Executive Engineer (I B Divn), Irrigation Department, Nagarkurnool District.

...Respondents

WHEREAS the Petitioner above named through his Advocate M/s VIJAY B PAROPAKARI presented this 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 a Writ, order or direction, more particularly a Writ in the nature of Certiorari, calling for the records pertaining to letter dated: 16/09/2020 vide proceedings No.E/1489/2016 and quash it.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of M/s VIJAY B PAROPAKARI, Advocate for the Petitioner and the learned Assistant Government Pleader for Revenue, who takes notice on behalf of respondent Nos.1 to 4, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

**You viz:**

1. The Principal Secretary, Revenue Department, State of Telangana, Secretariat Buildings, Hyderabad.
2. The District Collector, Nagarkurnool District, Nagarkurnool.
3. The Revenue Divisional Officer, Nagarkurnool District, Nagarkurnool.
4. The Mandal Revenue Officer, Nagarkurnool District, Nagarkurnool.
5. The Regional Deputy Director, of Town and Country Planning, DTCP Building 2<sup>nd</sup> Floor, 640 A.C Guards, Masab Tank, Hyderabad.
6. The Dy. Executive Engineer (I B Divn), Irrigation Department, Nagarkurnool District.

are directed to show cause on or before 01-12-2020 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

**THE COURT MADE THE FOLLOWING ORDER:**

Heard. Perused the record.

Notice before admission.

Learned Assistant Government Pleader for Revenue takes notice on behalf of respondent Nos.1 to 4 and seeks time to get instructions.

Post on 01.12.2020.

SD/- T.KRISHNA KUMAR  
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, State of Telangana, Secretariat Buildings, Hyderabad.
2. The District Collector, Nagarkurnool District, Nagarkurnool.
3. The Revenue Divisional Officer, Nagarkurnool District, Nagarkurnool.
4. The Mandal Revenue Officer, Nagarkurnool District, Nagarkurnool.
5. The Regional Deputy Director, of Town and Country Planning, DTCP Building 2<sup>nd</sup> Floor, 640 A.C Guards, Masab Tank, Hyderabad.
6. The Dy. Executive Engineer (I B Divn), Irrigation Department, Nagarkurnool District (RR 1 to 6 by RPAD along with a copy of petition and affidavit).
7. One CC to M/s. VIJAY B PAROPAKARI, Advocate [OPUC].
8. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad [OUT].
9. Two CCs to GP FOR IRRIGATION & CAD, High Court for the State of Telangana at Hyderabad [OUT].
10. One spare copy  
ZEE

HIGH COURT

26

Dr.SAJ

DATED:10/11/2020

POST ON 01.12.2020

NOTICE BEFORE ADMISSION

WP.No.18872 of 2020



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

THURSDAY ,THE THIRD DAY OF DECEMBER  
TWO THOUSAND AND TWENTY

**PRESENT**

**THE HONOURABLE SRI JUSTICE A.ABHISHEK REDDY  
WRIT PETITION NO: 21887 OF 2020**

**Between:**

1. Mididdidi Shyam Sundar, S/o. Mr. M. Narasimhaiah, Aged about 52 Years, Occ. Business,R/o.H.No.10-63, Ramnagar Colony, Nagarkurnool Town and District - 509 209
2. Dr.G.Shalini, W/o.G.Srinivas, Aged about 33 Years, Occ. Doctor,R/o.H.No.10-63, Ramnagar Colony, Nagarkurnool Town and District - 509 209.
3. Mrs.Divya Sindura, W/o.M.Sharath, Aged about 29 Years, Occ. Housewife, R/o.H.No.10-63, Ramnagar Colony, Nagarkurnool Town and District - 509 209.
4. N.Vishnu Murthy, S/o.Late.Chandraiah, Aged about 59 years, Occ. Advocate, R/o.H.No.11-9-117, Road No.2, Laxmi Nagar Colony, Kothapet, Hyderabad

**...PETITIONERS**

**AND**

1. The State of Telangana, Rep. by its Principal Secretary, Municipal Administration and Urban Development, Secretariat Buildings, Hyderabad
2. The Nagarkurnool Municipality, Rep By Its Commissioner, Nagarkurnool Town and District
3. The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat Buildings, Hyderabad.
4. The District Collector, Nagarkurnool District, Nagarkurnool.
5. The Revenue Divisional Officer, Nagarkurnool Division, Nagarkurnool District.
6. The Mandal Revenue Officer, Nagarkurnool Mandal, Nagarkurnool District.
7. The Regional Deputy Director, Of Town and Country Planning, DTCP Building 2nd Floor, 640, A.C.Guards, Masab Tank, Hyderabad.
8. The Dy. Executive Engineer (I B Divn), Irrigation Department, Nagarkurnool DisitRICT

**...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 a Writ, order or direction, more particularly a Writ in the nature of Certiorari, calling for the records pertaining to impugned notices dated 26/11/2020, served on the petitioners 1 to 4 on 27/11/2020 in File No.G/1116/UC/NGKL/2020 in reladon to A and B schedule land and also in

relation to H.No.10-203/1/A issued to petitioner No.4 and quash it as being arbitrary and illegal

**IA NO: 1 OF 2020**

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 suspend the operation of the 3 impugned notices dated 26/11/2020, served on the petitioners 1 to 4 on 27/11/2020 in File No.G/1116/UC/NGKL/2020

**Counsel for the Petitioners: SRI. VIJAY B PAROPAKARI**

**Counsel for the Respondent No.1: GP FOR MCPL ADMN  
URBAN DEV**

**Counsel for the Respondent No.2 and 7: SRI N. PRAVEEN KUMAR**

**Counsel for the Respondent No.3 to 6: G.P FOR REVENUE**

**Counsel for the Respondent No.8: G.P FOR IRRIGATION**

**The Court made the following: ORDER**

**THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY****WRIT PETITION No.21887 of 2020****ORDER:**

Heard learned counsel for the petitioners, the learned Government Pleader for Municipal Administration and Urban Development for respondent No.1, Sri N. Praveen Kumar, learned Standing Counsel for Municipality for respondent Nos.2 and 7, learned Government Pleader for Revenue for respondent Nos.3 to 6 and learned Government Pleader for Irrigation for respondent No.8. With their consent, the Writ Petition is disposed of at the stage of admission itself.

This writ petition is filed seeking a writ of Certiorari to call for the records pertaining to the impugned notices dated 26.11.2020, served on the petitioners on 27.11.2020, in File No.G/1116/UC/NGKL/20220, in relation to 'A' and 'B' schedule land and also in relation to H.No.10-203/1/A, issued to petitioner No.4, and to quash the same.

Learned counsel for the petitioners states that without waiting for the report of the Committee, which has been constituted by the Green Tribunal, and without issuing any show cause notice, respondent No.2 – the Commissioner, Nagarkurnool Municipality, has straightaway issued the impugned notices directing the petitioners to remove the structures, which is contrary to the provisions of the Telangana Municipalities Act, 2019, and principles of natural justice, and therefore, prays to set aside the impugned notices.

Learned Standing Counsel appearing on behalf of respondent No.2 – Municipality states that the petitioners may be

directed to submit their explanations to the impugned notices and the same shall be considered in accordance with law.

In view of the fact that the impugned notices have been issued without putting the petitioners on notice and calling for their explanations, the impugned notices may be treated as show cause notices, the petitioners are directed to submit their explanations to the impugned notices raising their objections, which they deem fit, within a period of two weeks from the date of receipt of a copy of this order. On receipt of such explanations, the official respondents shall consider the same and pass necessary orders strictly on merits, in accordance with law. It is needless to mention that before passing any orders, the petitioners shall be given an opportunity of hearing. A copy of the order passed by the official respondents shall be communicated to the petitioners. Till such time the final orders are passed, the official respondents shall not take any coercive steps against the petitioners.

The writ petition is accordingly disposed of.

The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

**I. NAGA LAKSHMI  
ASSISTANT REGISTRAR**

*ch. ch.*

**SECTION OFFICER**

//TRUE COPY//

To,

1. The Principal Secretary, Municipal Administration and Urban Development, State of Telangana, Secretariat Buildings, Hyderabad
2. The Commissioner, Nagarkurnool Municipality, Nagarkurnool Town and District
3. The Principal Secretary, Revenue Department, State of Telangana, Secretariat Buildings, Hyderabad.
4. The District Collector, Nagarkurnool District, Nagarkurnool.
5. The Revenue Divisional Officer, Nagarkurnool Division, Nagarkurnool District.
6. The Mandal Revenue Officer, Nagarkurnool Mandal, Nagarkurnool District.
7. The Regional Deputy Director, Of Town and Country Planning, DTCP Building 2nd Floor, 640, A.C.Guards, Masab Tank, Hyderabad.
8. The Dy. Executive Engineer (I B Divn), Irrigation Department, Nagarkurnool Disitric

9. One CC to SRI. VIJAY B PAROPAKARI Advocate [OPUC]
10. One CC to SRI. N. PRAVEEN KUMAR Advocate [OPUC]
11. Two CCs to GP FOR MCPL ADMN URBAN DEV (TG) ,High Court for the State of Telangana. [OUT]
12. Two CCs to GP FOR REVENUE ,High Court for the State of Telangana. [OUT]
13. Two CCs to GP FOR IRRIGATION ,High Court for the State of Telangana. [OUT]
14. Two CD Copies

Avs

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HIGH COURT

AARJ

DATED:03/12/2020



ORDER

WP.No.21887 of 2020

DISPOSING OF THE WP  
WITHOUT COSTS

18  
[Signature]  
04/12/2020

**THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY****WRIT PETITION No.21887 of 2020****ORDER:**

Heard learned counsel for the petitioners, the learned Government Pleader for Municipal Administration and Urban Development for respondent No.1, Sri N. Praveen Kumar, learned Standing Counsel for Municipality for respondent Nos.2 and 7, learned Government Pleader for Revenue for respondent Nos.3 to 6 and learned Government Pleader for Irrigation for respondent No.8. With their consent, the Writ Petition is disposed of at the stage of admission itself.

This writ petition is filed seeking a writ of Certiorari to call for the records pertaining to the impugned notices dated 26.11.2020, served on the petitioners on 27.11.2020, in File No.G/1116/UC/NGKL/2020, in relation to 'A' and 'B' schedule land and also in relation to H.No.10-203/1/A, issued to petitioner No.4, and to quash the same.

Learned counsel for the petitioners states that without waiting for the report of the Committee, which has been constituted by the Green Tribunal, and without issuing any show cause notice, respondent No.2 – the Commissioner, Nagarkurnool Municipality, has straightaway issued the impugned notices directing the petitioners to remove the structures, which is contrary to the provisions of the Telangana Municipalities Act, 2019, and principles of natural justice, and therefore, prays to set aside the impugned notices.

Learned Standing Counsel appearing on behalf of respondent No.2 – Municipality states that the petitioners may be

directed to submit their explanations to the impugned notices and the same shall be considered in accordance with law.

In view of the fact that the impugned notices have been issued without putting the petitioners on notice and calling for their explanations, the impugned notices may be treated as show cause notices, the petitioners are directed to submit their explanations to the impugned notices raising their objections, which they deem fit, within a period of two weeks from the date of receipt of a copy of this order. On receipt of such explanations, the official respondents shall consider the same and pass necessary orders strictly on merits, in accordance with law. It is needless to mention that before passing any orders, the petitioners shall be given an opportunity of hearing. A copy of the order passed by the official respondents shall be communicated to the petitioners. Till such time the final orders are passed, the official respondents shall not take any coercive steps against the petitioners.

The writ petition is accordingly disposed of.

The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

**A.ABHISHEK REDDY, J**

Date: 03.12.2020

**Note: Issue CC tomorrow**

B/o

va/sur

(SHOW CAUSE NOTICE BEFORE ADMISSION)  
HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD  
(Special Original Jurisdiction)

FRIDAY, THE FOURTH DAY OF DECEMBER TWO THOUSAND AND TWENTY

:PRESENT:

THE HONOURABLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION NO: 22231 OF 2020

Between:

M.Laxmi, W/o. Gopal

...Petitioner

AND

1. The State of Telangana, Rep. by its Principal Secretary, Municipal Administration and Urban Development Department, Secretariat Buildings, Hyderabad.
2. The Commissioner, Nagarkurnool Municipality, Nagarkurnool District, (Mahabubnagar).

...Respondents

WHEREAS the Petitioner above named through her Advocate MR. A. JAGAN presented this 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 dispossessing / interfering the petitioners house bearing No.12-156/6/3 an extent of (167.63 square yards) situated at Nagarkurnool Municipality, Nagarkurnool District (Mahaboobnagar District ) is illegal, arbitrary, contrary to the provisions of Telangana State Municipalities Act, violation of the principles of natural justice and as well as the fundamental rights guaranteed under the constitution of India consequently direct the respondents not to interfere / dispossess the petitioners above said house.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of MR. A. JAGAN, Advocate for the Petitioner, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary, Municipal Administration and Urban Development Department, State of Telangana, Secretariat Buildings, Hyderabad.
2. The Commissioner, Nagarkurnool Municipality, Nagarkurnool District, (Mahabubnagar).

are directed to show cause on or before 09-12-2020 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

**IA NO: 1 OF 2020**

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the respondents not to interfere / dispossess the petitioners house bearing No.12-156/6/3 an extent of (167.63 square yards) situated at Nagarkurnool Municipality, Nagarkurnool District (Mahaboobnagar District) forthwith, pending disposal of WP.No.22231 of 2020, on the file of the High Court.

**THE COURT MADE THE FOLLOWING ORDER:**

Notice before admission.

Learned Standing Counsel appearing for respondent No.2 is directed to get necessary instructions by the next date of hearing.

Learned counsel for the petitioner is directed to file the photographs of the structures, which the petitioner claims to have constructed in the subject lands.

Post on 09.12.2020.

In the meanwhile, the official respondents shall not take any coercive steps.

SD/- K.AMMAJI  
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration and Urban Development Department, State of Telangana, Secretariat Buildings, Hyderabad.
2. The Commissioner, Nagarkurnool Municipality, Nagarkurnool District, (Mahabubnagar) (RR 1 & 2 by RPAD along with a copy of petition and affidavit).
3. One CC to MR. A. JAGAN, Advocate [OPUC].
4. Two CCs to GP FOR MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT, High Court for the State of Telangana at Hyderabad [OUT].
5. One spare copy  
ZEE

HIGH COURT

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AARJ

DATED:04/12/2020

POST ON 09.12.2020

NOTICE BEFORE ADMISSION

WP.No.22231 of 2020

DIRECTION

