

SECOND REPORT OF THE JOINT COMMITTEE CONSTITUTED VIDE
GOVERNMENT MEMO NO.10150/MI/A2/2020-2 DATED:18.11.2020
AND THE ORDERS OF HON'BLE NATIONAL GREEN TRIBUNAL,
SOUTHERN ZONE, CHENNAI IN O.A NO.182/2020 FILED BY MR.
NAGARAM JANARDHAN REDDY

1. It is submitted that pursuant to the directions of this Hon'ble Tribunal, the Joint Committee has submitted its report on 07.12.2020. Thereafter, the above O.A. once again came up for hearing on 22.01.2021 before the Hon'ble National Green Tribunal, (SZ), Chennai. Upon hearing the matter, this Hon'ble Tribunal directed the Joint Committee to file further report on the following aspects:

1. What are the temporary measures that have been taken by the respondents till construction of STP is completed?
2. Why are bunds and Government buildings not removed and protected by the Government?
3. How many cases are pending before the Hon'ble Court of Telangana?

As regards first aspect is concerned i.e.,

1. What are the temporary measures that have been taken by the respondents till the construction of STP is completed?

It is submitted that the Commissioner, Nagarkurnool Municipality vide Lr.No.EE/Irr.Divn.No/NGKL/db/TO/2020-21/113,Dt.15.02.2021 reported that Nagarkurnool town has been divided into two zones i.e., Zone-A and Zone- B. In Zone-A, most of the locations have been connected to underground drainage; whereas in Zone - B, underground drainage work is going on and will be completed within a month; till then, all households have been connected to open drains and diverted to outside of town. In addition to that, all measures have

been taken for the usage of individual septic tanks for primary treatment. In Housing Board Colony, sullage is being diverted into Community Septic Tank.

Therefore, the above temporary measures have been taken to divert the sullage into the tank till the completion of Sewerage Treatment Plant (STP).

As regards the second aspect is concerned i.e.,

2. Why are bunds and Government buildings not removed and protected by the Government?

It is submitted that the Executive Engineer, Irrigation Division No.5, Nagarkurnool, vide Lr.No.EE/Divn No.5/DB/2020-21/116 dt.15.02.2021, reported that the Engineer in Chief irrigation(Hyderabad) permitted the agency to lift the Black Cotton Soils from the Kesari Samudram Tank for formation of the Vатtem reservoir from Km 6.77 to Km 11.10. Accordingly the agency M/s.Navayuga Engineering Company Hyderabad excavated the Black Cotton Soil in tank bed area and laid soil at one place for easy transport. The tank was filled upto Full Tank Level due to heavy rains. The soil will be removed immediately after receding the water level in tank bed area so that machines/vehicles will be entered in the above said area.

The District Rural Development Officer, DRDA, Nagarkurnool, vide.Lr.No.EGS/Admin/2021,Dt.01.02.2021 reported that Mandal Mahila Samakhya building for Nagarkurnool Mandal titled "Construction. of BNREGSK building at Nagarkurnool" work was sanctioned with estimate cost of Rs.32.00 Lakhs (in words Rupees Thirty Two Lakhs Only) under MGNREGS Scheme.

Construction of Mandal Mahila Samakhya Building in Nagarkurnool mandal was proposed for Nagarkurnool Nagarapanchayat as the Nagarkurnool GP was converted as Nagarapanchayat in 2011 year. Due to Non-availability of Government land in and around Nagarkurnool town, Sri.E.Ramesh Goud S/o Balaram Goud, Uyyalawada (V) of Nagarkurnool (M) donated 1008.33 square yards land in Sy.No.300/a1, 300/a2, 300/a3, 300/i1 & 300/i2 through land donation settlement agreement Dt.07.11.2016 for Construction MMS Building.

The Collector & Chairman, DRDA, Nagarkurnool permitted the construction of Mandal Mahila Samakhya Building at Uyyalawada (V) of Nagarkurnool (M) through MSK Mahila Sangham, Nagarkurnool vide Proceeding.No.N/211/EGS/MMS Building/2016-17,dated 09.02.2017 and the work was Completed in 2018.

Nagara Panchayat, Nagarkurnool was converted as Municipality and Uyyalawada village was merged in Nagarkurnool Municipality in 2018.

The Commissioner Municipality, Nagarkurnool has issued a notice for dismantling the Mandal Mahila Samakhya, Nagarkurnool Building which was constructed in FTL area of Kesari Samudram (Cheruvu) of Nagarkurnool Town and DRDA authorities addressed a letter to the Commissioner Panchayath Raj & Rural Development for issuing the necessary instructions which is awaited.

As regards the third aspect is concerned i.e.,

3. How many cases are Pending Before the Hon'ble High Court of Telangana ?

It is submitted that the following cases are filed before the Hon'ble High Court of Telangana.

1. W.P No.14826/2020 (disposed of)
2. WP.No.18872/2020 (Notice before admission given, pending)
3. WP.No.2596/2020 (disposed of)

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 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.

4. WP.No.21887/2020 (disposed of)
5. WP. No. 22231/2020. (Interim orders passed)
6. WP. No. 24243/2020 (Disposed of)

The details of the above cases and orders passed there on are furnished in a tabular form annexed to this Report.

Hence this Report.

msreddy 12/3/21
Superintending Engineer, I & CADD,
Irrigation Circle-2, Nagarkurnool.

gouni 12/3/21
Chief Engineer, I&CAD
Irrigation ,Nagarkurnool


Joint Chief Environmental
Engineer, Zonal Office,
Hyderabad.


District Collector
Nagarkurnool dist.

DETAILS OF CASES FILED AND PENDING BEFORE THE HON'BLE HIGH COURT FOR THE STATE OF TELANGANA WITH REGARD
TO ENCROACHMENTS IN FTL AREA OF KESARISAMUDRAM MINOR IRRIGATION TANK

Sl. No.	W.P.No.	Name of the Petitioner	Relief Sought	Relief granted	Remarks
1.	14826/2020	M. Shyam Sunder	Declaring the action of the respondents 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 Ac.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 and illegal.	The said Writ Petition was disposed of by order dated 9.10.2020 observing that 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.	The vendors of the Petitioner has applied for conversion of the land from agriculture to non-agriculture. 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 /Revenue Divisional Officer, Nagarkurnool.

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2.	18872/2020	M. Shyamsunder	Writ in the nature of Certiorari calling for the records pertaining to Lr. Dt. 16/09/2020 vide proceedings No E/1489/2016 and quash the same.	Pending. Notice before admission given	Relates to encroachment in FTL area of Kesari Samudram Cheruvu.
3.	2596/2020	G. Shalini and another	Issue a Writ of Mandamus declaring the action of the respondents in interfering with the Petitioners' possession over land admeasuring Ac 0.2 guntas in Sy. No 39/ EE situated at Yendabetla Village, Nagarkurnool Mandal and District.	Disposed of by order dt. 14.2.2020. On the submission made by the learned Asst. Government Pleader 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 cause notice has been issued. Basing on submission, the Writ Petition was disposed of directing the 2nd 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 carry out any activity	Subject land is coming under the buffer zone of Kesari Samudram Irrigation Tank situated at Nagarkurnool Mandal.

			<p>other than agriculture.</p>	<p>Relates to encroachment in FTL area of Kesari Samudram Cheruvu.</p>
<p>4. 21887/2020</p>	<p>M. Shyamsunder and others</p>	<p>To issue 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 relation to A and B schedule land and also in relation to H No 10203/1/A issued to petitioner No 4 and quash it as being arbitrary and illegal.</p>	<p>Impugned orders were set aside, as they have been issued without issuing notices. As such the same were set aside. The Petitioners are directed to submit their explanation to the notices and the respondents are directed to pass appropriate orders after hearing the Petitioners. Writ petition was disposed of by order dated 3.12.2020.</p>	<p>Relates to encroachment in FTL area of Kesari Samudram Cheruvu.</p>
<p>5. 22231/020</p>	<p>M.Laxmi w/o Gopal</p>	<p>To issue a Writ of Mandamus declaring the action of the respondents in dispossessing / interfering the petitioners house bearing No 12156/6/3 an extent of 167 63 square yards situated at Nagarkurnool Municipality is illegal arbitrary contrary to the provisions of Telangana State Municipalities Act violation of the principles of natural justice.</p>	<p>Pending with a direction not to take coercive steps against the Petitioner.</p>	<p>Relates to encroachment in FTL area of Kesari Samudram Cheruvu.</p>
<p>6. 24243/2020</p>	<p>All Saints High School and another</p>	<p>To Writ of certiorari calling for the records pertaining to the impugned notice dated 26112020 in file No</p>	<p>Disposed of by order dated 29.12.2020. Impugned order was set aside, as they have</p>	<p>Relates to encroachment in FTL area of Kesari Samudram Cheruvu.</p>

	<p>G/11116/UC/NGKL/2020 issued by the 2nd respondent directing the Petitioners to demolish All Saints High School Municipal bearing No 10203/8 and 9 at Nagarkurnool town and District without giving any notice and opportunity and in violation of the principles of natural justice</p>	<p>been issued without issuing notices. As such the same was set aside. The Petitioners are directed to submit their explanation to the notices and the respondents are directed to pass appropriate orders after hearing the Petitioners</p>	
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Prabhakar
Superintending Engineer, I & CADD,
Irrigation Circle-2, Nagarkurnool.

Prabhakar 12/3/21
Chief Engineer, I&CAD
Irrigation ,Nagarkurnool


Joint Chief Environmental
Engineer, Zonal Office,
Hyderabad.


District Collector,
Nagarkurnool dist.

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

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, Rammagar 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 2nd 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 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 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 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

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 3rd 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 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 300A 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 110 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 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

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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 4th 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 3rd 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 3rd respondent/Revenue Divisional Officer, Nagarkurnool, has not passed any orders yet on the proposal sent by the 3rd respondent/Tahsildar, which is illegal, arbitrary and ultimately requested this Court to direct the 3rd 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 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 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 3rd respondent/Revenue Divisional Officer, Nagarkurnool, vide Proceeding No.E/1489/2016, dated 16.09.2020.

5. 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.

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
Ch Ch
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 2nd Floor, 640 A.C.Guards, Masab Tank, Hyderabad.
6. One CC to Sri. Vijay B. Paropakani, 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

DATED:09/10/2020



ORDER

WP.No.14826 of 2020

DISPOSING OF THE WRIT PETITION
WITHOUT COSTS.

10^{SV} Copies
Dt 17/10/2020

(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 2nd 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 2nd 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:

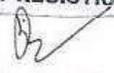
Heard. Perused the record.

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 2nd 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
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HIGH COURT

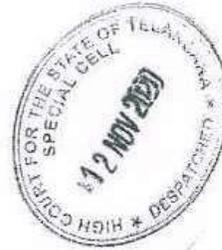
Dr.SAJ

DATED:10/11/2020

POST ON 01.12.2020

NOTICE BEFORE ADMISSION

WP.No.18872 of 2020



18

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.2596 OF 2020

ORDER

The 2nd 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 Yendabeta 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 2nd 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.

A.RAJASHEKER REDDY,J

DATE:14—02—2020

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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.

Sd/- M. MANJULA
ASSISTANT REGISTRAR
SECTION OFFICER

//TRUE COPY//

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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

22
21
HIGH COURT

ARR,J

DATED: 7.2.2020

NOTE: POST AFTER ONE WEEK
IN THE MOTION LIST

WP.NO.2596 OF 2020

INTERIM DIRECTION



2

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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 Disitric

...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

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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

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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

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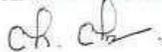
directed to submit their explanations to the impugned notices and the same shall be considered in accordance with law.

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


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
Cvt

HIGH COURT

AARJ

DATED:03/12/2020



ORDER

WP.No.21887 of 2020

DISPOSING OF THE WP
WITHOUT COSTS

18
G.A. 12/2020

26
[3167]

(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

AARJ

DATED:04/12/2020

POST ON 09.12.2020

NOTICE BEFORE ADMISSION

WP.No.22231 of 2020

DIRECTION



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

TUESDAY, THE TWENTY NINTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY

PRESENT

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION NO. 24243 OF 2020

Between:

1. All Saints High School, Nagarkurnool, rep. by its correspondence, Roy Joseph S/o. P.C. Joseph, aged about 50 years, Occ: Principal, R/o. Nagarkurnool Town and District.
2. Palai Raghavendra, S/o. Venkateshwarlu, aged about 33 years, Occ: Manager of All Saints High School, Nagarkurnool, R/o. Nagarkurnool Town and District.

...PETITIONERS

AND

1. The State of Telangana, Rep. by its Principal Secretary, Municipal Administration and Urban Development, Department, Secretariat, Hyderabad.
2. The Nagarkurnool Municipality, Rep. by its Commissioner Nagarkurnool Town and District.
3. The District Collector, Nagarkurnool District, at Nagarkurnool.
4. The Revenue Divisional Officer, Nagarkurnool Division, at Nagarkurnool
5. The Mandal Revenue Officer, Nagarkurnool Mandal, Nagarkurnool District. Wanaparthy District.
6. The Regional Deputy Director of Town and Country Planning, DTCP Building, 2nd Floor, 540-A, A.C. Guards, Masab Tank, Hyderabad.
7. The Dy. Executive Engineer (IB Divn.), Irrigation Department, Nagarkurnool 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 order or direction more particularly one in the nature of Writ of certiorari calling for the records pertaining to the impugned notice dated 26-11-2020 in file No. G/1116/UC/NGKL/2020 issued by the 2nd respondent asking the petitioners to demolish All Saints High School, Municipal bearing No. 10-203/8 and 9 at Nagarkurnool town and District, without giving any notice and opportunity and in violation of the principles of natural justice and same may be quashed 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 impugned notice dated 26.11.2020 issued by the 2nd

respondent in file No. G/1116/UC/NGKL/2020 asking the petitioners to remove the school building of All Saints High School, Nagarkurnool bearing municipal No. 10-203/8 and 9, at Nagarkurnool Town and District, pending disposal of main writ petition.

Counsel for the Petitioners: SRI M. DAMODAR REDDY

Counsel for the Respondent No.1: GP FOR MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT

Counsel for the Respondent Nos.2 & 6: SRI N. PRAVEEN KUMAR,
S.C. FOR MUNICIPALITIES

Counsel for the Respondent Nos.3 to 5: GP FOR REVENUE

Counsel for the Respondent No.7: GP FOR IRRIGATION AND
COMMAND AREA DEVELOPMENT

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY**WRIT PETITION No.24243 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 6, learned Government Pleader for Revenue for respondent Nos.3 to 5 and learned Government Pleader for Irrigation for respondent No.7. 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 notice dated 26.11.2020, in File No.G/1116/UC/NGKL/2020, issued by respondent No.2 asking the petitioners to remove/demolish the structures in municipal No.10-203/8 & 9 at Nagarkurnool Town and District, without giving any notice and opportunity, 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 notice 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 notice.

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

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directed to submit their explanation to the impugned notice and the same will be considered in accordance with law.

In view of the fact that the impugned notice has been issued without putting the petitioners on notice and calling for their explanation, the impugned notice may be treated as show cause notice, the petitioners shall submit their explanation to the impugned notice 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 explanation, 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.

SD/-CH.VENKATESWARULU
ASSISTANT REGISTRAR
SECTION OFFICER

//TRUE COPY//

- To,
1. The Principal Secretary, Municipal Administration and Urban Development Department State of Telangana, Secretariat, Hyderabad.
 2. The Commissioner, Nagarkurnool Municipality, Nagarkurnool Town and District.
 3. The District Collector, Nagarkurnool District, at Nagarkurnool.
 4. The Revenue Divisional Officer, Nagarkurnool Division, at Nagarkurnool
 5. The Mandal Revenue Officer, Nagarkurnool Mandal, Nagarkurnool District. Wanaparthy District.
 6. The Regional Deputy Director of Town and Country Planning, DTCP Building, 2nd Floor, 540-A, A.C. Guards, Masab Tank, Hyderabad.
 7. The Dy. Executive Engineer (IB Divn.), Irrigation Department, Nagarkurnool District.
 8. One CC to Sri M. Damodar Reddy, Advocate [OPUC]
 9. Two CCs to GP for Municipal Administration and Urban Development, High Court for the State of Telangana at Hyderabad. [OUT]
 10. One CC to Sri N. Praveen Kumar, S.C. For Municipalities (OPUC)
 11. Two CCs to GP for Revenue, High Court for the State of Telangana at Hyderabad. [OUT]
 12. Two CCs to GP for Irrigation and Command Area Development, High Court for the State of Telangana at Hyderabad [OUT]
 13. Two CD Copies.

MP

MP

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HIGH COURT

DATED:29/12/2020



ORDER

WP.No.24243 of 2020

DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

(17)
5/1/21
JN