

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

**FRIDAY, THE TWENTY THIRD DAY OF AUGUST
TWO THOUSAND AND TWENTY FOUR**

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HONOURABLE SRI JUSTICE J SREENIVAS RAO**

WRIT PETITION NO: 17077 OF 2011

Between:

M/s Lalitha Developers and Constructions, Having its Office at Plot No.14, Sindhi Colony, Begumpet , Secunderabad, Rep.by its Partner, Sri Osman S/o Esmail

...PETITIONER(S)

AND

1. The Government of Andhra Pradesh, Rep.by its Principal Secretary (Revenue) Department of Revenue Secretariat. Hyderabad.
2. The Hyderabad Metropolitan Development Authority, Rep.by its Metropolitan Commissioner, (GHMC Building), 3rd floor, West Marredpally Secunderabad - 500 026
3. The Government of Andhra Pradesh, Rep.by its Principal Secretary, Municipal Administration and Urban Development Dept Secretariat, Hyderabad.
4. Greater Hyderabad Municipal corporation, Kapra, Kapra Circle Ranga Reddy District. Rep.by its Deputy Commissioner
5. The Mandal Revenue Officer, Keesara Mandal, Keesara Road, Reddy 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 Writ, order , or direction more particularly in the nature of Writ of Mandamus declaring the order of Respondent NO.2 in issuing the letter with Reference No.5980/HUDA/PIg/MP2/2002/Part dated 24.05.2011 directing the petitioner to submit the conversion certificate from the Revenue Divisional Officer,

Ranga Reddy East, Ranga Reddy District/Competent Authority/ Collector, to use the land for non agricultural purpose as per the Andhra Pradesh Agricultural Land (Conversion for non-agricultural purpose) Act and Rules 2006 is arbitrary, illegal, violative of the fundamental rights under Article 14 and 19(1)(g) of the Constitution of India, violative of Constitutional Guarantee under Article 300-A of the Constitution of India, hit by doctrine of promissory estoppels and quash the same.

I.A. NO: 1 OF 2011(WPMP. NO: 20510 OF 2011)

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 Respondent No.2 to release the final layout in Survey No.188/Part, 189/Part and 190 of Kapra Village, Keesara Mandal, Ranga Reddy District covering an extent of Ac.18.10 guntas without insisting on no objection certificate from the Revenue Divisional Officer East, Ranga Reddy District/Competent Authority/ Collector, to use the land for non agricultural purpose as per the Andhra Pradesh Agricultural Land (Conversion for non-agricultural purpose) Act and Rules 2006.

Counsel for the Petitioner : SRI DEEPAK BHATTACHARJEE

Counsel for the Respondent No.1&5 : GP FOR REVENUE

Counsel for the Respondent No.2 : Ms.D.MADHAVI, (SC FOR HMDA)

Counsel for the Respondent No.3&4 : SRI M.DURGA PRASAD, SC FOR GHMC

The Court made the following: ORDER

**THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HON'BLE SRI JUSTICE J. SREENIVAS RAO**

WRIT PETITION No.17077 of 2011

ORDER: (per the Hon'ble the Chief Justice Alok Aradhe)

Mr. Deepak Bhattacharjee, learned Senior Counsel appears for the petitioner.

Ms. D. Madhavi, learned Standing Counsel for Hyderabad Metropolitan Development Authority appears for respondent No.2.

Mr. M. Durga Prasad, learned Standing Counsel for Greater Hyderabad Municipal Corporation appears for respondent No.3.

2. In this Writ Petition, the petitioner has prayed for the following relief:

“.....in the nature of writ of mandamus declaring the order of Respondent No.2 in issuing the letter with Reference No.5980/HUDA/Plg/MP2/2002/Part dated 24.05.2011 directing the petitioner to submit the conversion certificate from the Revenue Divisional Officer, Ranga Reddy East, Ranga Reddy District/Competent Authority/Collector, to use the land for non agricultural purpose as per the Andhra Pradesh Agricultural Land (Conversion for non-agricultural purpose) Act and Rules 2006 is arbitrary, illegal, violative of the fundamental rights under Article 14 and 19(1)(g) of the Constitution of India, violative of Constitutional Guarantee under Article 300-A of the Constitution of India,

hit by doctrine of promissory estoppels and quash the same.”

3. Learned counsel for the parties jointly submit that the issue involved in this Writ Petition is squarely covered by the common judgment dated 28.08.2015 passed in Writ Appeal No.702 of 2010 and batch.

4. It is also pertinent to mention that in pursuance of an interim order dated 21.06.2011 passed by the learned Single Judge of erstwhile High Court of Andhra Pradesh, the layout has already been approved.

5. Therefore, no further orders are required to be passed in the Writ Petition.

6. Accordingly, the Writ Petition is disposed of.

Miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

SD/- N. CHANDRA SEKHAR RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary (Revenue) Department of Revenue Secretariat, Government of Andhra Pradesh, Hyderabad.
2. The Metropolitan Commissioner, Hyderabad Metropolitan Development Authority, (GHMC Building), 3rd floor, West Marredpally Secunderabad - 500 026
3. The Principal Secretary, Municipal Administration and Urban Development Dept Secretariat, Government of Andhra Pradesh, Hyderabad.
4. The Deputy Commissioner, Greater Hyderabad Municipal corporation, Kapra, Kapra Circle Ranga Reddy District.
5. The Mandal Revenue Officer, Keesara Mandal, Keesara Road, Reddy District.

6. One CC to SRI DEEPAK BHATTACHARJEE, Advocate. [OPUC]
7. Two CCs to GP FOR REVENUE, High Court for the State of Telangana. [OUT]
8. One CC to Ms.D.MADHAVI (SC FOR HMDA). [OPUC]
9. One CC to SRI M.DURGA PRASAD, SC FOR GHMC. [OPUC]
10. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad. [OUT]
11. Two CCs to GP FOR MUNICIPAL ADMN & URBAN DEV, High Court for the State of Telangana at Hyderabad. [OUT]
12. Two CD Copies.

BSR

~~BSK~~

HIGH COURT

DATED:23/08/2024



ORDER

WP.No.17077 of 2011

DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

(17) VLW
28/9/24