

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 NOS: 31476 AND 31477 OF 2012

W.P.No.31476 of 2012

Between:

M/s. Pravesha Industries Private Ltd., A company incorporate under the Companies act, 1956 having its Registered and administrative Office at Plot No.2, Maitrivihar, Ameerpet, Hyderabad being rep. by its Power of attorney Mr. Suhas Barve, S/o. Mohan Barve, aged about 38 Yrs.

.....PETITIONER

AND

The Tahsildar, Jinnaram Mandal, Medak District, Andhra Pradesh.

.....RESPONDENT

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 in the nature of Mandamus by declaring the contemplated action of the respondent through the impugned Notice No. C/1548/12 dated 13.08.2012, as arbitrary, illegal, without jurisdiction and against to the provisions of Andhra Pradesh Agricultural land (Conversion for Non-Agricultural Purposes) Act, 2006 and the rules framed thereunder, and against to Art. 14 of the Constitution of India.

**I.A.NO:1 OF 2012(WPMP. NO: 40148 OF 2012)**

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 grant interim stay of all further proceedings contemplated by the respondent herein through Notice No. C/1548/12 dated 13.08.2012, pending disposal of the main writ petition.

**I.A.NO:1 OF 2021**

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 permit the petitioner herein to add the proposed respondent viz., The State of Telangana represented by its Principal Secretary for Revenue, Secretariat Building, Burgula Ramakrishna Rao Bhavan, Hyderabad. 500063 as Respondent No.2 in the Main Writ Petition , and consequently permit the Petitioner to incorporate necessary changes by adding the Proposed Respondent/ Respondent No.2 in cause title of the Writ Affidavit and Writ petition and in all the miscellaneous petitions and in the affidavits supporting.

**I.A.NO:2 OF 2021**

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 permit the petitioner herein to incorporate necessary changes by amending the description of the Respondent in the cause title of the Writ Affidavit and Writ petition and in all the miscellaneous petitions and in the affidavits supporting thereof as: The Tahsildar, Jinnaram Mandal, Sangareddy District (Formerly Medak District) Telangana State (Formerly Andhra Pradesh) instead of the existing cause title.

**Counsel for the Petitioner : SRI M.LAXMINARASIMHAM**

**Counsel for the Respondents : SRI K.MURALIDHAR REDDY,  
GP FOR REVENUE**

**W.P.NO: 31477 OF 2012**

**Between:**

M/s. Pravesha Industries Private Ltd., A company incorporation under the Companies Act, 1956, Having its Registered and Administrative offices At Plot No.2 Maitrivihar, Ameerpet, Hyderabad being represented by its Power of Attorney Mr. Suhas Barve, S/o. Mohan Barve, Aged about 38 years. ....**PETITIONER**

**AND**

The Tahsildar, Jinnaram Mandal, Medak District, Andhra Pradesh.

.....**RESPONDENT**

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 in the nature of Mandamus by declaring the contemplated action of the Respondent through the impugned Notice No. C/1548/12 dt. 13.8.2012 as arbitrary, illegal, without jurisdiction and against to the provisions of Andhra Pradesh Agricultural land (Conversion for non-agricultural purpose) Act, 2006 and the rules framed thereunder, and against to Art 14 of the Constitution of India.

**I.A.NO:1 OF 2012(WPMP. NO: 40156 OF 2012)**

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 stay of all further proceedings contemplated by the Respondent herein through Notice No. C/1548/12 dt. 13.8.2012 pending disposal of the main writ petition.

**I.A.NO:1 OF 2021**

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 permit the petitioner herein to add the proposed respondent viz., The State of Telangana represented by its Principal Secretary for Revenue, Secretariat Building, Burgula Ramakrishna Rao Bhavan, Hyderabad. 500063 as Respondent No.2 in the Main Writ Petition , and consequently permit the Petitioner to incorporate necessary changes by adding the Proposed Respondent/ Respondent No.2 in cause title of the Writ Affidavit and Writ petition and in all the miscellaneous petitions and in the affidavits supporting.

**I.A.NO:2 OF 2021**

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 permit the petitioner herein to incorporate necessary changes by amending the description of the Respondent in the cause title of the Writ Affidavit and Writ petition and in all the miscellaneous petitions and in the affidavits supporting thereof as: The Tahsildar, Jinnaram Mandal, Sangareddy District (Formerly Medak District) Telangana State (Formerly Andhra Pradesh) instead of the existing cause title.

**Counsel for the Petitioner : SRI M.L.NARASIMHAM**

**Counsel for the Respondents : SRI K.MURALIDHAR REDDY,  
GP FOR REVENUE**

**The Court made the following COMMON ORDER**

**THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE**

**AND**

**THE HON'BLE SRI JUSTICE J. SREENIVAS RAO**

**WRIT PETITION Nos.31476 and 31477 of 2012**

**COMMON ORDER:** *(Per the Hon'ble Sri Justice J.Sreenivas Rao)*

These writ petitions are filed for the following relief:

“...Issue a writ, order or direction more particularly in the nature of Mandamus by declaring the contemplated action of the Respondent through the impugned Notice No.C/1548/12, dt 13.8.2012 as arbitrary, illegal, without jurisdiction and against the provisions of Andhra Pradesh Agricultural land (Conversion for non-agricultural purposes) Act, 2006 and the rules framed thereunder and against to Art 14 of the Constitution of India...”

2. Heard Sri M.L.Narsimham, learned counsel for the petitioner and Sri K.Muralidhar Reddy, learned Government Pleader for Revenue appearing on behalf of respondent.
3. Learned counsel for the petitioner submits that the petitioner is a company incorporated under the Companies Act, 1956 and is engaged in manufacturing and trading of packing materials of all types through its units established in Andhra Pradesh. The petitioner

company has purchased Ac. 1.93 cents of land through registered sale deed dated 01.12.2004 in an auction. He further submits that on the said land petitioner company is not in due of any amounts.

3.1. He further submits that the Government of Andhra Pradesh has repealed the Andhra Pradesh Non-Agricultural Lands Assessment Act, 1963 (Act, 1963 for brevity) by Section 15 of A.P Agricultural (Conversion for Non-Agricultural Purposes) Act, 2006 (Act, 2006 for brevity) with a saving clause that all outstanding arrears shall be recovered from the individuals/institutions under Act, 1963 as on the date of commencement of Act, 2006 under Revenue Recovery Act, 1864.

3.2 While things stood thus, respondent has issued impugned notice dated 13.08.2012, bearing No.C/1548/12, directing the petitioner company to show cause within fifteen(15) days of receipt of the notice as to why the penalty along with the conversion fee should not levied for irregular land conversion from Agriculture to Non-Agriculture purpose.

3.3 He further submits that the Act, 2006 came into force from 02.01.2006 and the same is not applicable to the land of petitioner company and that the impugned notice issued by the respondent dated 13.08.2012, is without jurisdiction.

4. Learned Government Pleader fairly submits that the impugned notice dated 13.08.2012 issued by the respondent may be set aside and liberty may be granted to the respondent to initiate the proceedings afresh, in the event of recovery of dues, if any, in accordance with the law.

5. In view of the above said submissions made by learned Government Pleader, without expressing any opinion on merits of the case, the impugned notice dated 13.08.2012 issued by the respondent is set aside. However, liberty is granted to the respondent to initiate proceedings afresh, in accordance with law, if so aggrieved.

6. With the above directions, the writ petitions are disposed of accordingly. No costs.

As a sequel, miscellaneous petitions, pending if any,  
shall stand closed.

Sd/- N. SRIHARI  
ASSISTANT REGISTRAR  
SECTION OFFICER

//TRUE COPY//

- To
1. The Tahsildar, Jinnaram Mandal, Medak District, Andhra Pradesh.
  2. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad. [OUT]
  3. One CC to SRI M.L.NARASIMHAM, Advocate [OPUC]
  4. Two CD Copies

SA  
MP

*Bj*



**HIGH COURT**

**DATED:23/08/2024**



**COMMON ORDER**

**WP.Nos.31476 AND 31477 of 2012**

**DISPOSING OF THE WRIT PETITIONS**

**WITHOUT COSTS.**

(P)

26/09/24  
BKS