

HON'BLE SRI JUSTICE S.V. BHATT

W.P.No.318 of 2010

ORDER:

Heard Ms.B.Sapna Reddy, learned counsel for the petitioner and the Government Pleader for Revenue.

The writ petition is filed for Mandamus complaining against the inaction of respondents 1 to 4 in disposing of the representation dated 09.11.2009 as illegal, arbitrary and unconstitutional.

The petitioner, through the representation dated 09.11.2009, has brought to the notice of not only the Registrar, High Court of Judicature for the State of Telangana and the State of A.P., Hyderabad and also the respondents herein, the collusive act which resulted in issuance of orders in Roc.No.A/B/5732/2000 dated 21.11.2003 on the strength of fabricated documents. According to the petitioner, the 1st respondent issued orders dated 21.11.2003 in favour of Mithinti Venkateswarlu and others by referring to orders in W.P.No.1673 of 1993 dated 12.02.1993. According to the petitioner, the orders in W.P.No.1673 of 1993 do not refer to or are connected with either the Revenue Department much less any of the respondents herein. On the strength of a fabricated order, the proceedings dated 21.11.2003 have been issued as if the order dated 21.11.2003 is intended to obey the orders in W.P.No.1673 of 1993.

This Court, at the time of hearing, summoned the original order in W.P.No.1673 of 1993. As rightly pointed out by the petitioner, the grievance relates to release of grant-in-aid to the petitioners therein and the array of parties in the said writ petition is as follows:

- “1. Sri K.Suryabai
2. Smt. G.M.Chandravadana
3. Smt. M.Sesharatnam
4. Sri G.Ramalakshamma
5. Smt. A.Usha Rani
6. Smt. D.Janaki Bai
7. Smt. P.Kamala Bai
8. Smt. M.Satyavathi

And

1. The State of A.P., rep., by the Secretary to Government, Education Department, Secretariat, Hyderabad.

2. The Director of School Education, Government of A.P.,
Hyderabad.
3. The District Educational Officer, Visakhapatnam District.”

The 1st respondent has not only received representation but certainly failed to set the record straight by passing orders on the representation dated 09.11.2009.

It is needless to observe that fraud vitiates everything and in the case on hand, apparently by referring to an unconnected order, benefit is conferred on Mithinti Venkateswarlu and others.

Learned Government Pleader at the time of hearing submits that grant of land in favour of Mithinti Venkateswarlu was stated to have been made and the 1st respondent is not in a position to retrieve the original file in Roc.A/B/5732/2000 to verify the attendant circumstances. This is yet another suspicious fact in the entire episode within the office of 1st respondent. Suffice to state that the petitioner's grievance is legitimate and ought to be attended to by respondents.

Having regard to the above circumstances, the writ petition is ordered by directing the 1st respondent to consider and dispose of the representation dated 09.11.2009 within a period of six weeks from the date of receipt of a copy of this order. The 2nd respondent is directed to supervise the disposal of the representation dated 09.11.2009 by the 1st respondent within the time stipulated by this Court.

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

S.V. BHATT, J

Date: 29.12.2014
KLP