

HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.3786 of 2005

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Date: April 06, 2015

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Between:

1. s. Narsimha Reddy & 5 others ... Petitioners

and

1. Revenue Divisional Officer,

Chevella Division, Attapur,

R.R. District & 6 others. ... Respondents

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HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.3786 of 2005

ORDER:

This writ petition was filed by 6 individuals assailing the order dated 09.12.2003 passed by the Revenue Divisional Officer, Chevella Division, Attapur, Ranga Reddy District, in exercise of appellate powers under Section 24 of the Andhra Pradesh (Telangana Area) Abolition of Inams Act, 1955.

2. By order dated 01.03.2005, this Court directed *status quo* obtaining as on that day to be maintained as regards the nature and possession of the land in question. The said order was made absolute thereafter.

3. Perusal of the order dated 09.12.2003 reflects that the appeal before the Joint Collector, Ranga Reddy District, was filed against 2 named respondents only. However, it appears that the Joint Collector, Ranga Reddy District, thereafter passed another order on 20.12.2003 in the appeal, wherein he referred to a petition said to have been filed on behalf of the appellants seeking incorporation of the names of respondents 3 to 8 on the ground that they were omitted from the order dated 09.12.2003. Holding the same to be a clerical error, the Joint Collector, Ranga Reddy District, corrected the cause title in the appeal by adding the names of respondents 3 to 8. The said respondents 3 to 8 are the petitioners in this writ petition.

4. It is their complaint that they were never put on notice about the filing of the appeal and without giving them an opportunity of hearing, their names were subsequently incorporated in the order passed in the appeal. Neither the learned Government Pleader appearing the State nor the learned counsel appearing for the private parties is able to dispute this aspect of the matter. It is therefore clear that the order under challenge is completely in violation of the principles of natural justice. The petitioners are made to suffer the appellate order having been joined subsequently. It is accordingly set aside on this short ground. As this Court has not ventured into the merits of the matter, it shall be open to the appellants before the Joint Collector, Ranga Reddy District, to initiate proceedings afresh in accordance with law duly taking care to see that all the affected parties are impleaded so as

to obviate any complications such as have arisen in the present case.

5. The writ petition is allowed to the extent indicated above. Interim order dated 01.03.2005 shall stand vacated. Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

SANJAY KUMAR, J.

Date: April 06, 2015.

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HON'BLE SRI JUSTICE SANJAY KUMAR

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