

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No.11751 of 2011

ORDER:

The writ petitioner seeks a direction to the 1st respondent to pass appropriate orders in the representation dated 10-01-2011 made by him in the appeal filed by the third parties before the 2nd respondent and consequently declare the inaction of the 1st respondent in passing appropriate orders as violative of principles of natural justice.

The facts in issue are as under:

It is stated that the father of the writ petitioner was allotted 208 square yards of inam lands in survey No.693 of Pedapalli Town, Karimnagar District in the year 1980. When the writ petitioner was a minor, the father of the writ petitioner sold away inam land to one Garrepalli Viswanatham and Nooty Ramaswamy by way of registered sale deed to meet his medical expenses. While the said Viswanatham and Ramaswamy started construction in the said land, the grampanchayath authorities interfered and stopped the construction. At that time, the writ petitioner made an application dated 30-10-1999 before

the 1st respondent seeking cancellation of the sale deeds to third parties and allocation of the land in his favour. The 2nd respondent heard the matter and directed the Tahsildar, Pedapalli to hand over the above land in favour of the writ petitioner vide proceedings No.B/825/97, dated 20-12-2001. Aggrieved by the said order, the third parties preferred an Appeal before the 1st respondent. It is said that though the 1st respondent heard the matter, but failed to pass any orders. Hence, the writ petitioner made representation dated 10-01-2011 before the 1st respondent requesting him to pass orders at the earliest. The inaction of the 1st respondent in not

passing any orders in the said appeal is sought to be questioned in this writ petition.

When the matter is taken-up for hearing, the learned Government Pleader placed on record an order passed by the Joint Collector, Karimnagar dated 06-11-2013 in the appeal filed under Section 4-A(2) of Andhra Pradesh Assigned Land (Prohibition of Transfers) Act No.9/77, wherein, the 1st respondent remanded the matter to the Revenue Divisional officer, (R.D.O.), Peddapalli to conduct a detailed enquiry and dispose of the matter by following due procedure as contemplated under Andhra Pradesh (Telangana Area) Inams Abolition Act, 1955 and rules issued thereunder. It is stated that the matter, which has been remanded to the R.D.O. Peddapalli is still pending. In view of the above, the question of directing the Joint Collector (R-1) to dispose of the representation made by the writ petitioner does not arise.

Accordingly, the writ petition is disposed of directing the R.D.O., Peddapalli to pass appropriate orders on the representation made by the writ petitioner, if any pending, and also the main case after giving an opportunity to all the parties including the writ petitioner in accordance with law, preferably within a period of three months from the date of receipt of copy of the order. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

C.PRAVEEN KUMAR,J

30-06-2015

Nvl