

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA
PRADESH

* * *

WRIT PETITION No. 28438 of 2015

BETWEEN

Venigalla Surya Kumari and others

... PETITIONERS

AND

The State of Telangana, Rep. by its Principal Secretary,
Revenue Department and others

...RESPONDENTS

Date of order pronounced: 03.09.2015

SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgments? | Yes/No |
| 2. Whether the copies of judgment may be
marked to Law Reporters/Journals? | Yes/No |
| 3. Whether his Lordship wish to see the
fair copy of the Judgment? | Yes/No |

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ORDER:-

Heard.

2. Petitioners question the notices issued by the fourth respondent dated 04.06.2015 in Rc.No.B/3933/2014 and further notice dated 21.07.2015 in Rc.No.3933/2014. Petitioners state that at the instance of the fifth respondent, the aforesaid enquiry is sought to be conducted by the fourth respondent for restoration of land with the fifth respondent as widow of ex-servicemen, who was allotted the land. Petitioners claim that the husband of the fifth respondent during his lifetime sold the said land to the petitioners and thereafter pattadar passbooks and title deeds were also issued to them. It is further claimed that the petitioners are in possession of the land for over 33 years and during all these period, no objections were raised by anybody and hence, the request made by the fifth respondent is not justified.

3. Learned counsel for the petitioners states that though an explanation was given in response to the earlier notice as well as the subsequent notice, the fourth respondent is not conducting appropriate enquiry and passing appropriate orders. Even otherwise, learned counsel submits that the impugned notices cannot be issued after lapse of so many decades merely on an application by the fifth respondent.

4. I am not inclined to interfere with the impugned notices as the fourth respondent has jurisdiction to issue notice and enquire into the matter and also for the reason that the notices were issued as early as on 04.06.2015 and 21.07.2015 and in response to the said notices, petitioners have already filed their representations/objections.

No reason to interfere with the impugned order is called for.

5. Writ petition is disposed of directing the fourth respondent to consider petitioner's explanation and pass appropriate orders in accordance with law expeditiously preferably within two months from the date of receipt of a copy of this order.

As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

September 3, 2015
LMV

VILAS V. AFZULPURKAR, J