

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.2152 of 2010

Dated : 28.04.2015

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Between:

Padamati Narayan Reddy,

S/o.Late P. Narasimhulu @ P.Narasimha Reddy,

Aged about 80 yrs, Occu : Agriculture

R/o.Nedunoor village, Kandukur Mandal,

Ranga Reddy District & others

.. Petitioners

And

The State Government of Andhra Pradesh,

Rep., by its Principal Secretary,

Revenue Department,

Secretariat, Hyderabad & others

.. Respondents

This Court made the following :

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ORDER :

The petitioners claim to have purchased land to an extent of Ac.23.31 guntas in Survey Nos.216, 217, and 218 of Nedunoor village, Kandukur Mandal, Ranga Reddy District, by way of an unregistered sale deed dated 15.10.1974 for valid sale consideration from the party respondents in this writ petition. The petitioners filed an application before the Tahsildar, Kandukur Mandal, Ranga Reddy District (4th respondent) under Andhra Pradesh Rights in Land & Pattedar Pass Books Act, 1971 (for short 'the Act 1971'), for the purpose of validation of unregistered sale deed dated 15.10.1974. The Tahsildar, Kandukur Mandal, Ranga Reddy District, issued orders in accordance with Section 5-A(1) of the Act, 1971. Aggrieved thereby, the party respondents herein filed appeal before the Revenue Divisional Officer, East Division at Goshamahal, Hyderabad,

(3rd respondent) under Section 5 (5) of the Act, 1971. The said appeal was dismissed by order dated 30.06.2008. Aggrieved thereby the party respondents herein filed revision before the Joint Collector-I, Ranga Reddy District (2nd respondent). The 2nd respondent by order impugned in this writ petition dated 05.12.2009 set aside the order passed by the 3rd respondent.

2. The party-respondents filed expedite petition to expedite the hearing of the writ petition. At this stage, learned counsel for the petitioners and learned counsel for the party respondents requested for disposal of the writ petition by remitting the matter to the Revisional authority.

3. The order is challenged on several grounds. The principal ground of challenge is that the order is non-est in the eye of law, there was no application of mind as it is not a speaking order and the order of a quasi-judicial authority must be supported by reasons and since the order is not a speaking order, it is liable to be set aside on that ground alone. Considering the said fact, this Court on 04.02.2010 granted interim suspension of the impugned order.

4. Learned Counsel representing the respondents fairly submits that the order passed by the 2nd respondent is bereft of reasons and is liable to be set aside. He only requests that the matter be remitted back to the Joint Collector for fresh consideration and expeditious disposal by the 3rd respondent.

5. The only issue for consideration is whether the order passed by the Revisional Authority is without assigning reasons and is therefore liable to be set aside only on that ground?

6. As seen from the order, it is not a speaking order and no reasons are assigned except referring to the fact of pendency of civil dispute. The 3rd respondent being a quasi-judicial authority should consider the revision filed against the orders passed by the lower authorities and has to consider all the relevant contentions and only after recording the reasons shall pass an order more particularly when he is reversing the order passed by the lower authorities. Thus, the order is liable to be set aside.

7. Accordingly, the Writ petition is allowed and the matter is remitted back to the Revisional Authority for fresh consideration. The issues are left upon to be

agitated by the parties in the appropriate proceedings. Having regard to the fact that the issue concerns to the year 2009, the Revisional Authority is directed to give priority for disposal of the revision. The Revisional Authority shall put the petitioners as well as the respondents on notice fixing a clear date for hearing after considering their objections, after according personal hearing, shall pass a reasoned order. The entire exercise shall be completed within a period of two months from the date of receipt of copy of this order. There shall be no order as to costs.

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

_____**P.NAVEEN RAO,J**

28th April, 2015

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