

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 9046 of 2012

ORDER:

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Heard learned counsel for the petitioner and Government Pleader for Revenue. With the consent of both the parties, the main writ petition is heard at the admission stage itself.

The present writ petition came to be filed seeking a direction to the third respondent to implement the orders passed in R.O.R. proceedings No.B/6994/08, dated 19.06.2009 by incorporating the name of the petitioner and other concern in the record of rights i.e. Pahani Patrikas for the years 2009-2010 onwards in respect of lands in Sy.Nos. 340, 383, 384 and 387 admeasuring Ac.0.19 gts., Ac.8.08 gts., Ac.10.33 gts., of Rampalli Village, Keesara Mandal, Ranga Reddy District and continue their names.

The facts in issue are as under:

The legal heirs of late Veeraiah, Shivaiah and Ramaiah partitioned the properties through a registered partition deed No. 664 of 1966, dated 17.11.1966, pursuant to which, land admeasuring Ac.8.08 gts., in Sy.No.383, Ac.10.33 gts., in Sy.No.384, Ac.10.33 gts., in Sy.No.386, Ac.1.00 gts., in Sy.No.169 and Ac.0.19 gts., in Sy.No.340 situated at Rampally Village, Keesara Mandal, fell to the share of the petitioner's family. It is stated that the petitioner also filed O.S.No.582 of 2003 on the file of the II Additional Senior Civil Judge, Ranga Reddy District, seeking partition and the same was decreed on 19.10.2006. Subsequent to decree, the petitioner approached the

third respondent for implementation of the partition decree, who after due enquiry, ordered implementation of the partition decree vide his proceedings No. B/9964/08, dated 19.06.2009. It is said that in spite of passing orders, the same is not implemented deliberately. Subsequent to the passing of the orders, the petitioner made representations dated 07.11.2009 and 01.02.2012 seeking implementation of the orders by mutating his name in the revenue records. The inaction of the respondents lead to filing of the present writ petition.

A counter came to be filed by the third respondent stating that verification of latest pahani for the year 2015-2016 of Rampally village in respect of lands in Sy.Nos. 383, 384, 387 and 340 show that the status of land was recorded as "Plots" in possession column. It is said that in view of the above, the order dated 19.06.2009 could not be implemented. It is the case of the Government Pleader for Revenue that even before the order is passed the land was converted, which fact was suppressed by the petitioner before the authority.

One fact which is to be noted is that order dated 19.06.2009 passed by the third respondent is still in force. If really, the petitioner has altered the nature of land by converting the same into plots, as alleged in the counter, the representations dated 07.11.2009 and 01.02.2012 made by the petitioner can be disposed of by passing necessary orders. There is no point in keeping the said representations pending for years together.

Without going into the merits of the case and having regard to the facts and circumstances of the case, the present writ petition is disposed of, directing the third respondent to dispose of

the representation dated 01.02.2012, in accordance with law, as expeditiously as possible, preferably within a period of twelve (12) weeks from the date of receipt of the order, if the same is made and still pending consideration. No order as to costs.

Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

**JUSTICE C. PRAVEEN
KUMAR**

14.12.2015
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