

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

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W.P.No. 1078 of 2015

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DATE: 29.01.2015

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Between:

Kolluri Rajaiah and another .. Petitioners

and

1. The State of Telangana
2. The Collector
3. The Revenue Divisional Officer .. Respondents

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ORDER:-

The petitioners claim to be in possession and enjoyment of the agricultural dry land in an extent of Ac.3.34 guntas in Sy.No. 27/A situated in Dharmaraopet village, Dandepally Mandal, Adilabad District having succeeded the property from their late father – Erra Pocham. It is stated that the name of the petitioners’ father was shown as Inamdar in pahanies for the years 1973-74. Since then, the petitioners have been cultivating the land, and after the demise of their father, their names were mutated and reflected in the revenue records till 2014. While so, the petitioners submitted representations

on two occasions, the latest being 30.12.2014, to the 3rd respondent-Revenue Divisional Officer requesting for issuance of Occupancy Rights Certificate in Form No.1 under Rule 5(2) of Inams Abolition Rules, 1975 which would entitle them to acquire lawful rights and title over the land in question. Now, the petitioners' grievance is that the 3rd respondent has neither considered their representation nor passed any orders thereon. Hence, the present writ petition is filed seeking appropriate directions.

Heard the learned counsel for both the parties and perused the material placed on record.

The learned Assistant Government Pleader for Revenue appearing for the respondents submits that he has no objection to the issuance of a direction to the 3rd respondent to consider the representation and pass appropriate orders.

Inasmuch as the main relief sought for by the petitioners in this writ petition is only for disposal of their representation dated 30.12.2014 and in view of the stand taken by the learned Government Pleader that the 3rd respondent may be directed to consider such representation, this Court deems it appropriate to dispose of the writ petition with the following direction:

“The 3rd respondent-Revenue Divisional Officer, Mancheri is directed to consider the representation dated 30.12.2014 said to have been filed by the petitioners and pass appropriate orders thereon in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order”.

With the above direction, the writ petition is disposed of. No order as to costs.

As a sequel to the disposal of the writ petition, Miscellaneous petitions, if any pending, shall stand disposed of as infructuous.

CHALLA KODANDA RAM, J

29.01.2015

bcj