

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

AND

HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT APPEAL No. 734 OF 2015

31-07-2015

Between:

D. Parasuram Chowdary and 13 others

... Appellants

And

Mandal Revenue Officer (Tahsildar), Palasa, Srikakulam District and others

... Respondents

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HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

AND

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WRIT APPEAL Nos. 734 OF 2015

PC: (per the Hon'ble the Acting Chief Justice Dilip B. Bhosale)

Revenue Divisional Officer, Palasa is added as party respondent. Mr. Veeraswamy, learned Government Pleader for Revenue waives notice on behalf of the added respondent.

Heard learned counsel for the parties.

Sri P. Sri Raghu Ram, learned Senior Counsel appearing for the appellants does not press this appeal and seeks liberty to the appellants to make an application seeking intervention in the *suo motu* enquiry that will be initiated under Section 10A of the Andhra Pradesh (Andhra Area) Inams (Abolition and Conversion into Ryotwari) Act, 1956 (for short, 'the Act') as per the order dated 04-07-2002 passed by Mandal Revenue Officer, Palasa (Tahsildar, Palasa) in S.R.1/2000.

We have considered the submissions of learned counsel for the parties and perused the order dated 04-07-2002 passed by Mandal Revenue Officer and also the order impugned in the present appeal.

Learned counsel for the parties have fairly stated that we need not record reasons for disposing of this appeal. Hence, we pass the following order:

"Respondents – tenants shall make an application for initiating *suo motu* enquiry under Section 10A of the Act before the Revenue Divisional Officer, Palasa, within a period of three weeks from today. If any such application is made, the Revenue Divisional Officer shall initiate *suo motu* enquiry under Section 10A as per the order dated 04-07-2002 and shall decide the same as expeditiously as possible and preferably within a period of one year from the date of the application.

The appellants are at liberty to make an application for intervention in the said enquiry under Section 10A of the Act and if any such application is made, the Revenue Divisional Officer shall pass appropriate orders on the said application and allow the appellants to participate in the proceedings under Section 10A of the Act. It is needless to mention that the Revenue Divisional Officer shall decide the enquiry under Section 10A on merits in accordance with law and uninfluenced by the observations made by learned single Judge in the impugned order, allowing parties to place all materials that they desire to place on record in support of their case, within time frame.

Learned Government Pleader is directed to communicate this order to the Revenue Divisional Officer within four weeks from today. All contentions of the parties are kept open.”

With these observations, the writ appeal is disposed of.

Miscellaneous petitions, if any, also stand disposed of.

DILIP B. BHOSALE, ACJ

SANJAY KUMAR, J

31-07-2015

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