

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.26749 of 2011

ORDER :

This writ petition came to be filed seeking issuance of writ of Mandamus declaring the inaction of 2nd respondent in not issuing Occupancy Rights Certificate (ORC) to the petitioner in respect of land to an extent of Acs.3.00 cents in Survey No.12/c situated at Thimmaipally Village, Keesara Mandal, Ranga Reddy District, as illegal and arbitrary.

The averments in the affidavit in support of the writ petition are that the petitioner said to have purchased an extent of Acs.3.00 cents in Survey No.12/C of Thimmaipally Village, Keesara Mandal, Ranga Reddy District under a registered sale deed dated 07.08.1985 from one Bachala Veeranna. Since then he is in possession and enjoyment of the said land by raising seasonal crops. The revenue authorities issued pattadar passbook in his favour. While things stood thus, on 28.10.2009 the Additional Mandal Revenue Inspector issued proceedings stating that the land in Survey No.12 admeasuring Acs.0.20 guntas situated at Thimmaipally Village of Keesara Mandal out of total extent of Acs.5.13 guntas is patta land and to an extent of Acs.4.33 guntas is classified as sarkari as per pahani for the year 1954-55 khasra. The petitioner made a representation to the respondent on 18.07.2011 to issue ORC in respect of the said land. It is stated that though the representation was made on 18.07.2011, till date no orders have been passed on the said representation. Hence, the present writ petition.

Learned counsel for the petitioner submits that the Additional Mandal Revenue Inspector, Keesara Mandal in his report dated 28.10.2009 stated that the land in Survey No.12/C situated at Thimmaipally Village, Keesara Mandal, Ranga Reddy District is

agricultural land, but till date no ORC is issued to the petitioner, who is the owner of the said land.

Learned Government Pleader stated that the subject land is classified as sarkari as per the pahani for the year 1954-55 and as such the petitioner has no right over the said land. He submitted that he has no objection for passing orders on the representation dated 18.07.2011, if the same is still pending.

Having regard to the facts and circumstances of the case, the Writ Petition is disposed of directing the petitioner to make a representation before the Tahsildar seeking issuance of ORC along with all the relevant material available with him. On such representation being made by the petitioner, the same shall be dealt with, in accordance with law, within six weeks from the date of receipt of a copy of this order. No order as to costs. Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE C. PRAVEEN KUMAR

27th July, 2015
ssp