

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 12478 OF 2012

ORDER:

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Heard learned counsel for the petitioner, learned counsel for the fourth and fifth respondents and learned Government Pleader for Revenue (Telangana). With the consent of both the parties, the Writ Petition is disposed of at the admission stage itself.

The present Writ Petition came to be filed seeking to declare the action of the first respondent in issuing pattadar pass books and title deeds vide G/4233/05, dated 01.02.2006, in favour of the fourth and fifth respondents as illegal and arbitrary and consequently declare the petitioner as an absolute owner of the land in Survey No.116/4 admeasuring Acs.4.00 situated at Kondareddy Palli Village, Vangoor Mandal, Mahabubnagar.

The averments in the affidavit filed in support of this petition would show that the petitioner, who belongs to SC Community, was assigned land admeasuring Acs.4.00 situated at Konda Reddy Palli, Vangoor Mandal, Mahboobnagar District. The fourth respondent, who is the brother of the petitioner, approached the petitioner stating that the Government is giving loan for installing bore well and accordingly took signature from the petitioner for the purpose of loan. It is stated that the village Sarpanch in collusion with the fourth respondent deleted the name of the petitioner from the pahanis and entered the name of the fourth respondent. Later on, the second respondent granted pattas to the petitioner under Surplus Land Ceiling Act, 1973 on 20.11.1976 vide allotment certificate No.D.Dis.A6/6412/76. When the petitioner came to know that his

land was trespassed by the fourth and fifth respondents, a complaint came to be lodged in police station on 27.09.2010, but the police failed to register any crime. While things stood thus, the petitioner got pattadar passbooks and title deed in respect of the said land and his name was also mutated in the revenue records. It is also stated that the fourth and fifth respondents got 2 acres of land each by virtue of the first respondent vide proceedings No.G/4233/05, dated 01.02.2006. Challenging the said order, the petitioner is alleged to have made a representation before the Revenue Divisional Officer in the month of July, 2008 and the same is pending. Hence, the present Writ Petition.

Learned Counsel for the petitioner submits that a direction may be given to the second respondent to dispose of the representation dated 21.07.2008 made by the petitioner, at the earliest.

Learned Government Pleader for Revenue filed counter opposing the Writ Petition, but however, did not dispute the pendency of the representation made by the petitioner before the Revenue Divisional Officer, questioning the order dated 01.02.2006.

Since the request of the petitioner is only to give a direction to the Revenue Divisional Officer to pass orders in his representation dated 21.07.2008 made, challenging the order of the Mandal Revenue Officer, dated 01.02.2006, the present Writ Petition is disposed of directing the Revenue Divisional Officer to dispose of the representation dated 21.07.2008, made by the petitioner, in accordance with law, within a period of 12 weeks from the date of receipt of a copy of this order. No costs.

Consequently, the Miscellaneous Petitions, if any, pending in this Writ Petition shall also stand closed.

JUSTICE C. PRAVEEN KUMAR

07.09.2015

vhb