

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.6154 OF 2015

ORDER:

Challenging the inaction of the 3rd respondent in disposing of and passing orders in Appeal S.R.No.4242 of 2015, filed by the petitioners, the present writ petition is filed.

The case of the petitioners is that the property in question was devolved upon them from the father of the petitioners 2 to 5 and the husband of the 1st petitioner and it is evident from the revenue records i.e., Khasra Pahani 1954-1955, Sethwar and payment of revenue tax to the Government. It is stated that the unofficial respondents particularly respondents 21 to 24 who are not having any sort of right or authority through their father late T.Venkaiah who is an ordinary tenant upon the subject property obtained ORC behind back of the petitioners in collusion with the respondents 4 and 5 and the respondents 4 and 5 without following the due process of law as envisaged under the provisions of Inam Abolition Act, 1955 issued the ORC. Subsequently, basing on the alleged ORC, the respondents 21 to 24 made sale deeds in favour of the respondents 11 to 19, who in turn entered into developmental agreement in favour of the 20th respondent by taking law into their hands and now the 20th respondent basing on the alleged developmental agreement proceeding with the construction over the land of the petitioners. Consequently, questioning the illegal acts of the respondents 11 to 19 and 21 to 24, the petitioners filed W.P.No.1754 of 2015 before this Court and this Court while dismissing the writ petition granted liberty to the petitioners to avail the alternative remedy of preferring appeal before the 3rd respondent. Pursuant to the said orders, the petitioners

preferred an appeal in S.R.No.4242 of 2015 before the 3rd respondent on 21.2.2015 and when the 3rd respondent is not taking any steps to dispose of the said appeal, the petitioner filed the present writ petition.

The learned counsel for the petitioners submits that even though the appeal was filed on 21.02.2015, the 3rd respondent did not choose to dispose of the same and hence he prays to allow the writ petition.

Having regard to the facts and circumstances of the case and especially in view of the fact that the innocuous prayer of the petitioners, I deem it appropriate to direct the 3rd respondent to dispose of the appeal preferred by the petitioners in S.R.No.4242 of 2015, as expeditiously as possible preferably within a period of four weeks from today and pass appropriate orders, in accordance with law, after issuance of notices to all the parties concerned.

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

Miscellaneous Petitions, if any pending in this writ petition shall stand closed.

CHALLA KODANDA RAM,J

Date:11.03.2015.

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HON'BLE SRI JUSTICE CHALLA KODANDA RAM

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Date:11.03.2015

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