

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.2889 OF 2015

ORDER:

This writ petition is filed by the petitioner seeking to declare the action of respondent No.3 in not canceling the pass books issued to 4th respondent regarding the land over an extent of Ac.5.9 cents in Sy.No.372/3, Borupalem, Rayapudi Village, Tullur Mandal, Guntur District, as illegal, arbitrary and consequently direct the respondents to cancel the pattedhar pass books issued to 4th respondent pertaining to the above said land in Sy.No.372/3 of Borupalem, Rayapudi Village, Tullur Mandal, Guntur District and issue pass books in favour the petitioner for the said land by allowing the appeal in R.C No.5103 of 2012-A pending on the file of the 3rd respondent.

As can be seen from the notices issued by the 3rd respondent, dates of hearing of the appeal of the petitioner were being fixed from time to time, but the 3rd respondent did not choose to hear the same. However, the 3rd respondent issued the final notice dated 22.01.2015 informing the petitioner that the appeal would be heard on 07.02.2015.

Learned counsel for the petitioner submits that though the dates of hearing of the appeal were given on several occasions, the appeal was not heard and decided so far. He further submits that on account of several dates fixed by the 3rd respondent for hearing the appeal, both the petitioner and his counsel are put to great trouble and hardship as they have to travel from Gudivada to Guntur by incurring huge expenses and ultimately to be informed that the appeal is adjourned. In the circumstances, learned counsel requests the Court to give a direction to the 3rd respondent to dispose of the appeal of the petitioner expeditiously.

The learned Assistant Government Pleader for the Revenue submits that he has no objection to the request made by the petitioner's counsel.

It is needless to mention that the authorities cannot sit over the matter for eternity, especially without discharging quasi- judicial functions conferred by the statute. There is a duty and obligation cast on the authority who has been vested with the statutory powers to discharge his duties within a time bound manner. Notwithstanding the fact that the statute by itself might not have stipulated a time frame, normally appeals of this nature ought to have been disposed of within a period of six months. As otherwise at the ground level, particularly in the rural areas the disputes would result in altercations, physical fights and disruption of relationships.

Having regard to the facts and circumstances of the case and especially in view of the fact that the appeal is of the year 2012, the 3rd respondent shall dispose of the appeal/representation filed by the petitioner within a period of three months from the date of receipt of a copy of this order.

With the above observation, the writ petition is disposed of. No order as to costs. Miscellaneous Petitions, if any pending in this writ petition shall stand closed.

JUSTICE CHALLA KODANDA RAM

Date:11.02.2015
Gk.

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