

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 20137 OF 2015

ORDER:

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With the consent of both the parties, the writ petition is disposed of at the admission stage itself.

The present writ petition is filed seeking a direction to the third respondent to dispose of the R.O.R.Appeal No.A/2688/2009 filed by the petitioners against the mutation proceedings issued by the fourth respondent vide proceedings No. A/64/2008 dated 13.09.2008 at the earliest.

The averments in the writ petition are as under:

Originally one Dindigalla Mallikarjun Rao, who is the husband of the first petitioner, was the owner, pattadar and possessor of agricultural land to an extent of Ac.6.38 gts., in Sy.No.526 situated at Hanamkonda Revenue Village and Mandal, Warangal District. During his life time, the said Dindigalla Mallikarjun Rao executed a registered G.P.A.bearing No.142 of 1990 dated 12.04.1990 in favour of one Bommana Bakkaiah to an extent of Ac.1.20 gts., out of the total extent of the said land. Thereafter the said Bommana Bakkaiah has made a major portion of the land into plots and sold away 39 plots in all measuring 7931.10 sq. yards to different individuals. The said Dindigalla Mallikarjun Rao died on 20.08.1995, leaving the first petitioner as his sole legal heir and successor to the properties left over by him. The first petitioner sold away plot Nos.14, 21, 24 and 32 to the second petitioner, who in turn sold the same to third parties. It is stated that in the year 2009, the petitioners came to know that the said Bommana Bakkaiah and his son B.Sridhar have fabricated an agreement of sale dt. 21.03.1994 in respect of land to an extent of Ac.1.00 gts. in Sy.No.526 situated at Hanamkonda village and obtained mutation proceedings vide

Form No.13-B proceedings No.A/64/2008 dated 13.09.2008 from the fourth respondent. Aggrieved by the same, the petitioners filed R.O.R.Appeal No.A/2688/2009 on 01.08.2009 before the third respondent. In the said appeal, notices were issued to said B.Bakkaiah and his son, who appeared and filed their counter affidavit on 18.12.2010. It is stated that in spite of several requests made by the counsel for the petitioners, the third respondent did not take any steps in disposing of the R.O.R. appeal filed by the petitioners. Hence, the petitioners filed the present Writ Petition.

Taking into consideration the averments in the petition and as the R.O.R. appeal is pending since 2009, it is appropriate to direct the third respondent to dispose of the R.O.R. appeal No.A/2688/2009 in accordance with law, if it is still pending, within a period of eight (08) weeks from the date of receipt of a copy of this order.

With the above direction, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE C. PRAVEEN KUMAR

03.07.2015
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