

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.16757 OF 2015

DATED: 15.06.2015

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Between:

M/s. New Steel City Merchants Welfare Society,

Rep. by D.K. Agarwal

.. Petitioner

And

The State of Telangana,

Rep. by its Secretary,

Revenue Department,

and others.

.. Respondents

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.16757 of 2015

ORDER:

This writ petition was filed aggrieved by the inaction of the Joint Collector-I, Ranga Reddy District, in taking up the stay petition and the revision filed by the petitioner, which was taken on file under Case No.F1/3503/2015. The said revision was filed under the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971.

It appears that the Joint Collector-I, Ranga Reddy District, issued notice dated

14.05.2015 fixing 01.08.2015 as the date for hearing of the case for admission. The petitioner is before this Court on the ground that hearing of its miscellaneous petition cannot be put off to such a long date and seeks interim protection. Though the respondents in the revision are impleaded as respondents 5 to 7 herein, this Court is of the opinion that notice need not be ordered to them in the light of the order proposed to be passed.

Statutory authorities who are clothed with quasi-judicial powers necessarily have to exercise such powers with due expedition so that the rights and interests of the parties involved in the case are protected.

In the present case, the Joint Collector-I, Ranga Reddy District, straightaway gave a date nearly three months later for the admission of the case. There is no indication that the Joint Collector-I, Ranga Reddy District, applied his mind to verify whether there was any urgency to hear the miscellaneous petition filed in the revision. This laxity on the part of the quasi-judicial authority in exercise of statutory powers vested in it cannot be countenanced. The State must sensitize its officers as to what is required of them while discharging quasi-judicial functions. Failure in this regard would render the very purpose of having such alternative judicial mechanism ineffective.

In that view of the matter, the writ petition is disposed of directing the Joint Collector-I, Ranga Reddy District, to advance the hearing of the case for the purpose of passing orders, be it in the revision itself or in the miscellaneous petition filed therein. He shall therefore cause notice to be issued to the parties once again duly intimating of the advanced date of hearing and take up the case, be it the main revision or the miscellaneous petition filed therein, give due opportunity of hearing to both parties and thereafter pass appropriate reasoned orders in accordance with law. This exercise shall be completed within three weeks from the date of receipt of a copy of this order. Pending this exercise, there shall be an order of status quo insofar as the implementation of the order under revision is concerned viz., the order dated 17.04.2015 passed by the Revenue Divisional Officer, Malkajgiri Division, in File No.J/410/2014.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

Office is directed to communicate a copy of this order to the Chief Secretaries

of the State of Telangana and the State of Andhra Pradesh for taking appropriate action in the light of the observations made hereinabove.

JUSTICE SANJAY KUMAR

15th June, 2015

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