

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No. 44977 of 2016

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Revenue.

2. With the consent of both the parties, the Writ Petition is disposed of at the admission stage.

3. The present Writ Petition came to be filed seeking issuance of writ of Mandamus questioning the action of respondent No.2 in issuing show cause notice dated 14.12.2016 vide proceedings No.E/955/2016 calling for explanation from the petitioner to cancel the allotment order No.D/10229/1996, dated 20.12.1996 made in her favour in respect of land admeasuring Acs.7.14 guntas in Survey No.110, Acs.2.26 guntas and Acs.5.00 guntas in Survey No.158 of Narasapuram Village, Siddipet Mandal, Siddipet District, without considering their own proceedings Proc.No.E4/2046/2014, dated 08.08.2014 and without there being any reason and without following procedure under law, as illegal and arbitrary'.

4. The ground urged by the learned counsel for the petitioner is that the order passed under Section 166 is beyond the period of limitation and a reading of the order clearly indicates as if the authorities have come to the conclusion, even before passing the impugned order.

5. Learned Government Pleaders submits that if the alleged fraud has been proved, the question of delay cannot be taken into consideration. He further submits that proceedings are pending before the Collector and that the counsel representing the petitioner has also filed his vakalat in this case. In view of the same, he submits that a direction may be given to the respondent-authorities for disposal of the proceedings at the earliest.

6. Having regard to the rival submissions made and taking into consideration the pendency of the proceedings before the collector, this Court is of the view that respondent No.2 can be directed to dispose of the said proceedings, at the earliest.

7. In view of the above, the petitioner is directed to submit her explanation to the impugned show cause notice dated 14.12.2016, within a period of two weeks from today. On such submission, respondent No.2 shall dispose of the proceedings pursuant to the above show cause notice, within a period of eight to ten weeks therefrom, in accordance with law, after hearing all the concerned. Till then, *status-quo* as on today shall be maintained with regard to possession.

8. With the above direction, the writ petition is disposed of.

9. Miscellaneous petitions, pending if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE C.PRAVEEN KUMAR

26.12.2016,
vhh