

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.42695 OF 2016

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for the respondents. With their consent, the present writ petition is disposed of at the admission stage.

2. The present writ petition came to be filed with the following prayer:

“...to issue an appropriate writ, order or direction more particularly one in the nature of writ of mandamus declaring the inaction of the Tahsildar, Konijerla, 4th respondent herein, in implementing the order in ROR Appeal Case No.A3/13310/2015 dated 27.5.2016 as illegal and arbitrary and consequently direct the Tahsildar, Konijerla, 4th respondent herein, to take steps to implement the orders in ROR Appeal Case No.A3/13310/2015, Dated 27.5.2016 passed by the Revenue Divisional Officer, Khammam, the 3rd respondent herein.”

3. By an order dated 27.05.2016, the Revenue Divisional Officer at Khammam (R.3) allowed the appeal filed by the petitioner herein under Section 5 of the ROR Act, cancelling the Pattadar Pass Books and Title Deeds issued favour of respondents 1 to 4 & 6 to 8 therein; it is further directed the Tahsildar, Konijerla (R.4) to conduct personal enquiry in the matter duly conducting survey of the land and verifying the sale documents of respondents 1 to 4 & 6 to 8, and also rectify the revenue records as per survey report and genuineness of the sale documents; it is also further directed the Tahsildar to issue pass books

and title deeds in favour of the persons entitled to as per ROR Act. It is further directed to complete the said process within ninety (90) days.

4. Learned counsel for the petitioner submits that though ninety (90) days elapsed, till date no survey or enquiry is conducted.

5. Learned Government Pleader for Revenue would submit that if the order of the 3rd respondent – RDO is not stayed till date, the 4th respondent – Tahsildar may be directed to comply with the order passed by the 3rd respondent in ROR Appeal Case No.A3/13310/2015 dated 27.5.2016.

6. As seen from the record, pursuant to the order passed, the petitioner herein made a representation on 15.06.2016 requesting the 4th respondent to take steps as per the order of the 3rd respondent, but no action is said to have been taken so far.

7. Having regard to the above, the Writ Petition is disposed of directing the 4th respondent – Tahsildar, to dispose of the representation dated 15.06.2016 made by the petitioner pursuant to the order passed by the 3rd respondent in ROR Appeal Case No.A3/13310/2015 dated 27.5.2016, if the said order is not stayed by any higher Forum till date, within a period of eight (08) weeks from the date of receipt of a copy of this order, in accordance with law, after hearing the petitioner and the aggrieved persons, if any.

Consequently, Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

JUSTICE C. PRAVEEN KUMAR

Date:08.12.2016
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