

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WRIT PETITION No.2386 OF 2016

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ORDER:

Heard.

Though three opportunities are granted, no instructions are received by learned Government Pleader for Revenue.

The petitioner's appeal under Section 24 of the Andhra Pradesh (Telangana Area) Abolition of Inams Act, 1955 was allowed by the Joint Collector – I, Ranga Reddy District, the 2nd respondent, in Case No.F1/481/2008, dated 07.11.2009. The operative portion of the said order reads as follows:

“Therefore Occupancy Right Certificate issued vide No.J/1219/2004 dated 02.08.2004 is set aside, the Lower Court is directed to take up fresh enquiry duly serving the notice to all the parties deemed to be affected in the case and on production of the documentary evidence of being the Legal heir and Occupancy Right Certificate to rightful occupant by Legal heir of the inamdar.”

The petitioner complains that in spite of the aforesaid direction, the Revenue Divisional Officer, East Division, Ranga Reddy District, the 3rd respondent, who is the competent authority, has not yet taken up enquiry. Hence, the petitioner approached this Court by filing the present Writ Petition complaining inaction on the part of the 3rd respondent.

Though the contesting respondents are shown as respondents 4 to 8, in view of the order proposed to be passed, no notice need to go to them.

Learned counsel for the petitioner states that File No.J/1219/2004, which was remitted by the 2nd respondent to the 3rd

respondent for fresh consideration is however now re-numbered as J/3145/2010 and no further action is taken so far.

In view of the fact that the orders of the 2nd respondent, extracted as above, are required to be implemented by the 3rd respondent, this Writ Petition is disposed of directing the 3rd respondent to issue notice to the petitioner as well as respondents 4 to 8 and any other person interested by fixing an early date for hearing and pass appropriate orders relating to the said application for grant of Occupancy Rights Certificate, preferably within a period of three months from the date of receipt of a copy of this order, after hearing all the parties. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in the Writ Petition shall stand closed.

VILAS V.AFZULPURKAR, J

Date:22.02.2016

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