

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.42227 OF 2016

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking the following relief:

“ ... to issue writ, order or a direction, more particularly one in the nature of Writ of Mandamus declaring the inaction of the Respondent No.3 herein, in issuing notice for the purpose of conducting enquiry in file No. B/2459/2016, dated 15.10.2016 in respect of Survey No.181, extent Ac:6-16 Guntas, 183, extent Ac:3-06 Guntas, situated at Malkapur Village, Chevella Mandal, Ranga Reddy District, T.S., despite pendency of the partition suit bearing OS No.4/2013 on the file of Addl. District Judge, Vikharabad, R.R. District and also pendency of the Status Quo orders passed in I.A. No.8/2013 in OS 4/2013, dated 04.01.2013, as illegal, arbitrary and unjust and quash the same in the interest of justice and pass such other order or orders deems fit and proper in the circumstances of the case.”

Heard the learned counsel for the petitioner as well as the learned Assistant Government Pleader for Revenue for respondents 1 to 3. With their consent, the writ petition is disposed of at the stage of admission itself. There is no necessity to put respondent Nos.4 to 7 on notice, since this Court is not venturing to adjudicate the case on merits.

Though various grounds are raised in the writ petition, the learned counsel for the petitioner restricts his prayer and submits that though the petitioner filed counter in file No.B/2459/2016 before the Tahasildar, Chevella, raising an objection with regard to

mutation sought for by R-7 herein, but till date no orders are passed by the 3rd respondent.

Learned AGP would submit that a suitable direction may be given to the 3rd respondent to dispose of the case in accordance with law.

Having considered the rival submissions made, the writ petition is disposed of directing the 3rd respondent-Tahasildar to dispose of File No.B/2459/2016, in accordance with law, after hearing the petitioner and other aggrieved persons, if any including respondent No.7, as early as possible, preferably within a period of 2-4 weeks from the date of receipt of a copy of this order.

Miscellaneous petitions pending in this writ petition, if any, shall stand closed. No order as to costs.

Date: 05.12.2016
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C. PRAVEEN KUMAR, J

