

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.29074 of 2009

ORDER:

This writ petition is filed aggrieved by the action of the respondents in not disposing the application dated 29.11.2007 filed by the petitioner for grant of Occupancy Rights Certificate in respect of land to a extent of Ac.0.30 guntas in Survey No.1913, Ac.2.35 guntas in Survey No.1914, Ac.1.16 guntas in Survey No.1917 and Ac.0.31 guntas in Survey No.1278 of Nirmal Village and Mandal, Adilabad District, as illegal and arbitrary and for a consequential direction to the 3rd respondent to forthwith dispose of the said application.

The 3rd respondent filed counter stating that this Court while admitting the writ petition granted interim order on 31.12.2009 directing this respondent to dispose of the application of petitioners dated 29.11.2007 and in obedience of the said orders, this respondent passed orders vide proceedings No.D/726/2004, dated 26.02.2010, rejecting the claim of the petitioners and that aggrieved by the said order petitioners filed an appeal under Section 24(1) of the A.P.(Telangana Area) Abolition of Inams Act, 1955 before the Joint Collector on 15.03.2010 and that the Joint Collector by order dated 11.04.2010 sent a copy of the appeal to this respondent with a request to furnish the parawise remarks and records.

Though counter is filed in the year 2010, no reply affidavit is filed disputing the same.

Heard learned counsel for the petitioners and learned standing Counsel for Wakf Board.

A reading of the counter affidavit shows that the application of the petitioners was disposed of and aggrieved by the said order the petitioner also filed appeal. As such, the grievance of the petitioners in this writ petition to dispose of their application, stood redressed and as such, the cause in the writ petition does not survive for adjudication.

Accordingly, the writ petition is dismissed as infructuous. However, it is open for the petitioners to pursue the appeal already filed against the rejection order. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

13.06.2017

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