

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.26420 OF 2017

Dated:08.08.2017

Between:

Chanda Babu Rao, S/o. Late Ganapathaiah,
Aged about 71 years, Occ: Agriculture,
R/o.Bayakkapeta Village, Tadavai Mandal,
Jayashankar – Bhupalpally District

.. Petitioner

And

The State of Telangana, rep., by its
Principal Secretary, Revenue
Department, Secretariat, Hyderabad
and others

.. Respondents



The Court made the following:

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ORDER:

Petitioner alleges that respondents 4 and 5 filed a case in File No.227 of 2016 before the Agency Court, the 3rd respondent, claiming that they are entitled to 1/3rd share in the share of defendant No.1/petitioner herein and 1/11th share in Sammakka Saralamma Jathara and for other reliefs. Respondents 4 and 5 have also filed I.A.No.2 of 2016 praying not to disburse 1/11th share to respondent No.1/petitioner herein and *ex parte* interim orders were granted by the Agency Court on 08.03.2016. According to petitioner, after receiving notices, petitioner entered appearance and thereafter there was no further hearing and on account of interim order granted by the Agency Court, grave prejudice is caused to the petitioner. In this Writ Petition, petitioner seeks direction for early consideration of File No.227 of 2016 as well as I.A.No.2 of 2016 by the 3rd respondent.

2. When the matter is taken up for consideration, learned counsel for the petitioner as well as learned Government Pleader for Revenue submit that W.P.No.26431 of 2017 is filed by another person claiming similar relief as sought in this Writ Petition concerning File No.226 of 2016 pending before the same authority and this Court disposed of the said Writ Petition to pass orders within a period of ten days from the date of receipt of a copy of the order.

3. In view of the similar direction issued by this Court in W.P.No.26431 of 2017 dated 08.08.2017, this Writ Petition is also disposed of directing the 3rd respondent to consider I.A.No.2 of 2016 as well as File No.227 of 2016 in main case itself and pass appropriate orders as warranted by law within a period of ten days from the date of receipt of a copy of this order. It is made clear that there is no expression of opinion and all defences of petitioner as well as respondents 4 and 5 are preserved to be agitated in the case pending before the Agency Court. There shall be no order as to costs.

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

Date:08.08.2017
KH

P. NAVEEN RAO, J

