

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.25948 OF 2005

ORDER:

The present Writ Petition, under Article 226 of the Constitution of India, came to be filed seeking issuance of a Writ of *Mandamus* declaring the action of the 2nd respondent in not disposing of the appeal as directed by this Court, as illegal and arbitrary, consequently to direct the 2nd respondent to dispose of the appeal in D.Dis.No.1478/98/D, pending on his file as expeditiously as possible or within a time frame that may be fixed by this Court.

2. The case of the petitioner is that he made a representation to the Mandal Revenue Officer for grant of patta in respect of lands in Sy.No.68-10 to an extent of Ac.0.87 cents and in Sy.No.68-13 to an extent of Ac.0.32 cents of Mallinayakanahalli Vilalge of Madakasira Mandal. The Mandal Revenue Officer made an endorsement, dated 10.03.1998, rejecting the representation made by the petitioner on the ground that on enquiry it was found that there were 'date trees', aged about 5 years to 20 years in the said lands. Aggrieved thereby, the petitioner preferred an appeal before the Revenue Divisional Officer, Penukonda, who in turn disposed of the appeal vide D.Dis.No.1478/98/D, on 21.09.1998, directing the Mandal Revenue Officer, Madakasira, to take action under the Act 9 of 1977. Challenging the same, the petitioner filed Writ Petition No.702 of 1999, wherein this Court directed the Revenue Divisional Officer to dispose of the appeal afresh. Pursuant to the directions of this

Court, a notice was issued to the petitioner to be present before the Revenue Divisional Officer on 19.07.2004 at 11:00 A.M. However, the said notice was received by the petitioner on 20.07.2005. When the petitioner went to the office and enquired, he was informed that the next date of hearing would be communicated later. It is said that in spite of making several requests, the Revenue Divisional Officer is not disposing of the appeal. Hence, the present writ petition.

3. At the time when the matter is taken up for hearing, it is represented that vide order dated 13.03.2006 the Revenue Divisional Officer dismissed the appeal filed by the writ petitioner confirming the order of the Mandal Revenue Officer.

4. Having regard to the above, no cause survives for adjudication in this writ petition.

5. Accordingly, the Writ Petition is dismissed.

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:31.08.2017
INL