

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

AND

THE HON'BLE SMT.JUSTICE T. RAJANI

W.A.M.P. No. 908 of 2017

and

Writ Appeal No.435 of 2017

Judgment: (Per the Hon'ble The Acting Chief Justice Ramesh Ranganathan)

Leave to appeal is granted.

This appeal is filed by the respondents before the Revenue Divisional Officer implementation of whose order dated 10.8.2016 was sought in W.P. No. 2060 of 2017. The learned Single Judge has, by the order under appeal, directed the Tahsildar to take action pursuant to the order of the Revenue Divisional Officer dated 10.8.2016.

Though the appellants herein were the respondents in the proceedings before the Revenue Divisional Officer, they were not arrayed as respondents in the writ petition. Their grievance is that, though they had preferred a revision to the Joint Collector against the order of the Revenue Divisional Officer and the revision proceedings are still pending adjudication by the Joint Collector, the order under appeal now requires the Tahsildar to implement the order of the Revenue Divisional Officer.

When we asked Sri T.P. Acharya, learned counsel for the 1st respondent-writ petitioner, as to how the writ petition could have been filed without arraying the appellants herein as respondents in the writ petition, Learned Counsel would fairly state that the appellants herein were not arrayed as respondents by over-sight. He would request that, instead of keeping the matter pending on the file of this Court, it would suffice if the Joint Collector, Anantapur is requested to dispose of the revision preferred by the

appellants herein within a specified time frame. Sri D.Y. Karunakar Dayanidhi, learned counsel for the appellants, readily agrees for such an order being passed.

We consider it appropriate, in such circumstances, to set aside the order under appeal and to direct the Joint Collector, Anantapur to dispose of the revision preferred by the appellants herein, against the order of the Revenue Divisional Officer, Penukonda, dated 10.8.2016, with utmost expedition preferably within a period of three months from the date of receipt of a copy of this order. Needless to state that any order that the Joint Collector shall pass in the revision preferred by the appellants, shall be only after both the appellants and the 1st respondent-writ petitioner are given an opportunity of being heard.

The writ appeal stand disposed of accordingly. W.A.M.P. No. 908 of 2017 shall also stand disposed of. Miscellaneous Petitions pending, if any, shall also stand disposed of. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

(T. RAJANI, J)

1st June, 2017

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