

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.20221 of 2013

ORDER:

The present Writ Petition came to be filed seeking issuance of Writ of Mandamus, declaring the action of the 1st respondent in cancelling the pattadar passbooks and title deeds issued by the 2nd respondent, without notice to the petitioners, vide proceedings No.Rc.No.E5/4017/2013, dated 15.06.2013, as illegal and arbitrary.

While admitting the Writ Petition, this Court, by its order dated 29.07.2013, suspended the impugned proceedings issued by the 1st respondent.

The only ground urged by the learned counsel for the petitioners is that the impugned proceedings came to be issued by the 1st respondent without giving any notice to the petitioners.

Sri J. Kanakaiah, learned counsel appearing for the unofficial respondents would submit that though notices were issued to the petitioners, they failed to appear before the authorities at the time of hearing of the matter.

As seen from the record, the Joint Collector, Warangal, took up the matter on his file vide proceedings No.Rc.No.E5/4017/2013 and issued notice to the petitioners and the respondents. A perusal of the material on record would reveal that though petitioners have received notice, they failed to appear before the said authority.

Having regard to the above, this Court is of the view that interests of justice would be met if the petitioners are also heard before any orders

are passed. In view of this, it would be taken that the petitioners and the respondents who are now aware about the proceedings will find out the date of hearing of the matter and appear before the Joint Collector, Warangal, as and when the matter is posted, without insisting on further notice.

Accordingly, the Writ Petition is allowed, setting aside proceedings No.Rc.No.E5/4017/2013, dated 15.06.2013 issued by the 1st respondent. Consequently, the said authority is directed to hear the petitioners and the respondents afresh and pass orders, in accordance with law, within a period of six to eight weeks from the date of receipt of orders. Meanwhile, status quo as on today shall be maintained by the parties for a period of eight weeks.

As a sequel, miscellaneous petitions pending, if any, in the Writ Petition stand closed. No order as to costs.

February 14, 2017
MRR

C. PRAVEEN KUMAR, J