

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

AND

THE HON'BLE MS JUSTICE J.UMA DEVI

WRIT APPEAL NO.1133 OF 2017

JUDGMENT: {Per the Hon'ble the Acting Chief Justice Ramesh Ranganathan}

This Appeal, under Clause 15 of the Letters Patent, is preferred against the order passed by the learned Single Judge in WP.No.20379 of 2017 dated 22.06.2017. The appellant herein is the petitioner in the Writ Petition wherein he sought a mandamus to declare the action of the second and third respondents, in not considering his application for Sadabainama regularization as per G.O.Ms.No.153/2016 dated 03.06.2016, as illegal and arbitrary.

In the order under appeal, the learned Single Judge noted that a separate register was being maintained by the respondents for all applications; all the applications were being considered in their turn; reliance placed on an un-dated Circular, in CCLA's Ref.No.LR.2/625/2016, issued by the Chief Commissioner of Land Administration, Telangana, for timely disposal by the competent authority was misplaced; these circulars and guidelines could not be enforced in proceedings under Article 226 of the Constitution of India, as they lacked statutory force; and the relief, as sought for, could not be granted.

Sri P.Rama Sharana Sharma, learned counsel for the appellant, would fairly state that the appellant is not seeking consideration of their application out of turn, and it would suffice if this Court were to clarify that the order passed by the learned Single Judge would not result in the appellant's application not being considered.

The apprehension expressed by Sri P.Rama Sharana Sharma, learned counsel for the appellant, is unfounded. The Learned Single Judge has only observed that applications cannot be considered out of turn. That does not mean that the appellant's applications should not be considered. Suffice it to make it clear that the respondents shall consider the appellant-writ petitioner's application in accordance with law, strictly in the order in which these applications have been received by them.

The Writ Appeal is disposed of, accordingly. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand closed.



(RAMESH RANGANATHAN, ACJ)

(J.UMA DEVI, J)

11th August 2017
RRB