

HON' BLE SRI JUSTICE S.V. BHATT

WRIT PETITION No.1988 OF 2017

ORDER:

Heard Sri C.Naresh Reddy for petitioners and Sri K.Goverdhan Reddy for respondents 6 to 8.

The issue arises under A.P Rights in Land and Pattadar Passbooks Act, 1971. The respondents 6 to 8 herein aggrieved by the orders of Revenue Divisional Officer, dated 15.02.2016 in case No.B/ 1641/ 2012 have filed revision under Section 9 of the Act before the District Collector, Nirmal District.

The respondents while matter stood pending in this writ petition filed Writ Petition No.14257 of 2017 for the following payer:

“to issue an appropriate Writ, Order or direction, more particularly one in the nature of Writ of Mandamus, declaring the order dated 15/ 02/ 2016 passed by the 4th Respondent in Case No.B/ 1641/ 2012 in respect of the agricultural land to an extent of Ac.4-12 Gts in Survey No.284 and land to an extent of Ac.0- 07 Gts in Survey No.279, and land to an extent of Ac.4-11 Gts in Survey No.284/ 1 and Ac.0-21 Gts in Survey No.285 situated at Nirmal; as illegal, violative of Article 300-A of the Constitution of India, and set aside the same as the Order dated 14/ 12/ 2009. passed by the 5th Respondent in Proceedings No.A/ 1197/ 2009 is correct and binding on the parties; and pass...”

This Court on 20.04.2017 disposed of Writ Petition No.14257 of 2017 as follows:

“In view of the above facts and circumstances of the case, since it is also stated that pattadar passbooks were granted in the year 1990 after regularisation of sale deeds in favour of the petitioners, the 2<sup>nd</sup> respondent is directed to dispose of the stay petition/ revision or he can transfer the same to any competent officer and if the revision is transferred, the said authority shall dispose of the stay petition/ revision within a

period of three months from the date of receipt of a copy of this order. Till passing of order in the stay petition or the appeal, the impugned order dated 15.02.2016 in case No.B/ 1641/ 2012 is suspended.

Accordingly, this writ petition is disposed of. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.”

Writ Petition No.1988 of 2017 is filed on 20.01.2017 by the petitioners apprehending alienation of property or creation of third party interest notwithstanding the order passed by the RDO. This Court has directed respondents 1, 2 and 5 not to entertain registration of document with land admeasuring Ac.0.07 gts in sy.No.279, admeasuring Ac.4.12 gts in Sy.No.284, admeasuring Ac.4.12 gts in Sy.No.284/ 1 and Ac.0.21 gts in Sy.No.285/ 1 at Nirmal town, Nirmal District. The interim order is subsisting as on date.

Learned counsel appearing for parties submit that now the lis is substantially before the District Collector, Nirmal and the merits of the matter are canvassed in pending revision and therefore request this Court to direct District Collector to dispose of the revision filed against the order dated 15.02.2016 of RDO, expeditiously. The joint statement of learned counsel is placed on record.

Having regard to the nature of dispute and the apprehension voiced by petitioners herein, the Court directs continuation of order granted on 20.01.2017 till the disposal of revision before District Collector. The petitioners or the respondent 6 to 8 are given liberty to file memo before the District Collector, Nirmal and seek a date for hearing and early disposal of the matter.

The Writ Petition is ordered as indicated above. No order as to costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

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S.V. BHATT, J

Date: 30.06.2017  
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