

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No.8791 of 2016

ORDER:

Heard.

2. The present Writ Petition came to be filed seeking issuance of writ of Mandamus declaring the action of the second respondent in not allowing the petitioners to participate in the proceedings No.L/7364/2015 as illegal and arbitrary.

3. The averments in the affidavit filed in support of the writ petition would show that the petitioners and one Smt.K.Suhasini are the joint owners and possessors of the land admeasuring 1937 square yards in Survey No.27 situated at Gachibowli Village, Serilingampally Mandal, Ranga Reddy District, purchased vide registered documents bearing Nos.13971, 7191, 4536, 5672, 6065, 9888 and 9964 of 2007, dated 28.11.2007, 15.05.2007, 14.03.2007, 07.04.2007, 16.04.2007, 28.07.2007 and 30.07.2007 respectively. Subsequently, Smt.K.Suhasini got executed a registered release deed in favour of the petitioners towards her share in respect of the said land vide document No.16542 of 2013, dated 14.11.2013, and as such she has no subsisting interest over the said land. While things stood thus, respondent Nos.3 to 7 approached the second respondent under A.P.Telangana Area Abolition Act, 1955, seeking issuance of Occupancy Right Certificate in their favour and that the second respondent has reserved the matter for orders. On coming to know about the same, the petitioners approached the second respondent seeking copies of the applications made by respondent Nos.3 to 7, but the same was denied. Anticipating that the second respondent would

deliver the orders, the petitioners filed objections on 04.03.2016. Later, the petitioners filed an application on 15.03.2016 under Order 1 Rule 10 read with Section 151 of C.P.C. seeking impleadment and also for reopening of the case. It is stated that since the second respondent was not inclined to receive the application, the petitioners submitted the same in the inward section. Apprehending that the second respondent would pass orders without considering the objections filed by the petitioners, the present writ petition came to be filed.

4. By an order dated 17.03.2016, this Court while issuing *rule nisi*, granted interim stay, as prayed by the petitioners. A counter came to be filed denying the averments made in the affidavit filed in support of the writ petition.

5. Learned counsel for the respondents submits that he has no objection for impleadment of the petitioners in the above said case and also hearing them before passing orders in the application filed by respondent Nos.3 to 7 seeking ORC.

6. Recording the above statement, the writ petition is disposed of directing the second respondent to implead the petitioners as arrayed respondents, in the application filed by respondent Nos.3 to 7, seeking ORC. Further, the second respondent shall pass orders in accordance with law after hearing the petitioners and also the unofficial respondents herein, as early as possible, preferably within a period of three months from the date of receipt of a copy of the order. There shall be no order as to costs.

7. Miscellaneous petitions, pending if any, shall stand closed in the light of this final order.

10.02.2017
vhb

JUSTICE C.PRAVEEN KUMAR

