

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.35002 OF 2017

Date: 25.10.2017

Between:

Nemmani Vishwas S/o. N.Ravindra Murthy,
Aged about 24 years, Occu: Student,
R/o Plot No.35, Near Rythu Bazar, Masjid Street,
Shapur Nagar, Hyderabad.

.....Petitioner

and

The State of Telangana, rep.by its Principal
Secretary, Revenue Department, Secretariat,
Hyderabad and others.

.....Respondents



The Court made the following:

HONOURABLE SRI JUSTICE P.NAVEEN RAO

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ORDER:

Limited grievance of petitioner is inaction on the part of the Revenue Divisional Officer in passing orders on the appeal preferred by the petitioner on a remand by the Joint Collector. Material on record would disclose that petitioner earlier filed W.P.No.2386 of 2016 seeking to grant the following relief:

“To issue a Writ of Mandamus any other writ or order or directions declaring the action of respondents more particularly the action of the respondent No.3 in not disposing of petitioner's application for the grant of Occupancy Right Certificate in respect of land in Sy.No.108, admeasuring. Ac.1-26 guntas which is numbered as J/3145/2010 after remand, by the respondent No.2 by his order dated 07-11-2009 in File No.F1/481/2008 and consequently direct the respondent No.3 to take up petitioner's case in J/3145/2010 on day to day basis.”

2. Said writ petition was disposed of, by order dated 22.02.2016. The operative portion of the order reads as under:

“In view of the fact that the orders of the 2nd respondent, extracted as above, are required to be implemented by the 3rd respondent, this writ petition is disposed of directing the 3rd respondent to issue notice to the petitioner as well as respondents 4 to 8 and any other person interested by fixing an early date for hearing and pass appropriate orders relating to the said application for grant of Occupancy Rights Certificate, preferably within a period of three months from the date of receipt of a copy of this order, after hearing all the parties.”

3. Alleging that in spite of direction issued by this Court, so far no orders are passed and seeking action of the respondents in not

concluding the enquiry in Case No.J/3145/2010 as arbitrary and illegal and seeking consequential direction to the Revenue Divisional Officer to conclude the enquiry and issue Occupancy Rights Certificate to the petitioner and to his family members in respect of the land to an extent of Ac.1.26 guntas in Sy.No.108 of Jeedimetla village, Quthbullapur Mandal, Medchal district, this writ petition is filed.

4. As briefly noted above, on the very same issue, earlier matter was considered and direction was issued to the Revenue Divisional Officer. No independent writ petition can be instituted seeking very same direction and Court cannot pass sequence of orders on the same issue. If the Revenue Divisional Officer erred in complying the order of this Court, as alleged, such attitude of the Revenue Divisional Officer warrants serious action. It is needless to observe that authorities concerned required to pass orders as and when directions are issued within the time stipulated. Be that as it may, Court need not issue fresh orders as already directions were issued on the issue. Non-compliance of earlier directions cannot be a ground to pass fresh orders. Leaving it open to the petitioner to work out his remedies, writ petition is dismissed.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

JUSTICE P.NAVEEN RAO

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