

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.2479 of 2018

ORDER:

The petitioners state that father of petitioner Nos.1, 3 and 4 was the absolute owner and possessor of an extent of Ac.4-10 guntas of land in Survey No.262/147, situated at Kesamudram Revenue Village and Mandal of Mahabubabad, Warangal District. After his death, the land was partitioned and the names of the petitioners were also mutated in the revenue records. Thereafter, they donated Ac.3.00 guntas of land for Roads & Buildings Department and Ac.1-30 guntas of land for construction of Government Junior College. When a request was made by the Tahsildar to donate some other land for construction of Gurukul School for Scheduled Tribes, the same was rejected by the petitioners. In those circumstances, the fourth respondent issued notice on 29.12.2016 proposing to resume the said lands and the petitioners submitted their reply on 08.03.2017, 14.02.2017 and 02.01.2017. But, by that time, an order of resumption was passed on 10.01.2017 and challenging the same, the petitioners preferred an appeal before the third respondent and though they filed an application seeking suspension of the order of resumption, the suspension was not granted. In the meanwhile, respondents 2 to 4 handed over the land to the fifth respondent and the fifth respondent started making constructions. The present Writ Petition is filed challenging the resumption order and non disposal of the appeal by the third respondent.

2. Learned Government Pleader for Revenue appearing for the respondents, on the basis of instructions, submits that the appeal is still pending before the third respondent.

3. In the circumstances, without going into the merits of the case, this Writ Petition is disposed of directing the third respondent to consider the appeal preferred by the petitioners against the order of resumption passed by the fourth respondent on 10.01.2017 by giving opportunity of hearing to the petitioners and dispose of the same, within a period of three months from the date of receipt of a copy of this order.

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

FEBRUARY 06, 2018
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A.RAMALINGESWARA RAO, J



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Date: 06.02.2018

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