

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION NO. 31297 OF 2015

ORDER:

This Writ Petition is filed challenging the action of the 2nd respondent in not disposing of the appeal preferred by the petitioner on 27.6.2006 against the order passed by the 3rd respondent on 10.5.2006.

2. It is the case of the petitioner that the land of an extent of Ac.5.00 situated in Survey No.615 of Nagnur Village of Karimnagar Mandal and district was allotted to one Sriramoju Manikyachari, 4th respondent by proceedings of the District Collector dated 30.5.1967. The father of the petitioner purchased the said land under unregistered document in the year 1970 but the vendor demanded some more amount in the year 1979. Apprehending danger, the father of the petitioner paid a sum of Rs.10,000/- through a cheque dated 10.5.1979 and the 4th respondent en-cashed the same. He filed O.S.No.238 of 1979 on the file of the Court of District Munsiff, Karimnagar against the 4th respondent and the said suit was decreed on 17.8.1979. He filed E.P.No.49 of 1980 for transmission of the decree and for implementation in the Revenue Records and the 3rd respondent issued pattadar passbook and title deed in favour of the father of the petitioner.

He sold an extent of Ac.2.20 guntas to a third party on 8.7.1981 and the same was registered by the Sub-Registrar, Karimnagar. There were subsequent sales. However, after lapse of 23 years, the 4th respondent filed an application before the District Revenue Officer, Karimnagar and the same was referred to the 3rd respondent. Pursuant to the said application, 3rd respondent conducted an enquiry and passed an order on 10.5.2006. Challenging the same, the petitioner preferred an appeal to the 2nd respondent on 23.6.2006 and when the appeal was not disposed of, the present Writ Petition is filed.

3. The written instructions issued to the learned Government Pleader disclose that the appeal is pending enquiry.

4. In the circumstances, without expressing any opinion on the merits of the case, the 2nd respondent is directed to dispose of the appeal preferred by the petitioner on 27.6.2006 against the order of the 3rd respondent dated 10.5.2006 if the same is pending before him, within a period of eight weeks from the date of receipt of a copy of this order. If the appeal was already disposed of, a copy of the same shall be communicated to the petitioner forthwith.

The Writ Petition is disposed of.

Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

A. RAMALINGESWARA RAO,J

Date: 27.2.2018

KPM

