

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.7674 OF 2018

ORDER:

The writ petition is filed for the following relief:

“For the reasons stated in the accompanying affidavit, the petitioners herein pray that this Hon'ble Court may be pleased to issue a writ, order or direction, particularly a writ in the nature of mandamus, declaring the inaction of the respondent No.2 in adjudicating and deciding the stay application filed by the petitioners in Statutory Appeal vide F1/1396/2017, pending before the respondent No.2, as the said inaction is illegal, arbitrary, discriminatory, and in derogation of Article 14, 21 and 300-A of the Constitution of India and consequently direct the respondent No.2 to decide the Stay Application filed by the petitioners in Statutory Appeal vide F1/1396/2017 expeditiously and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

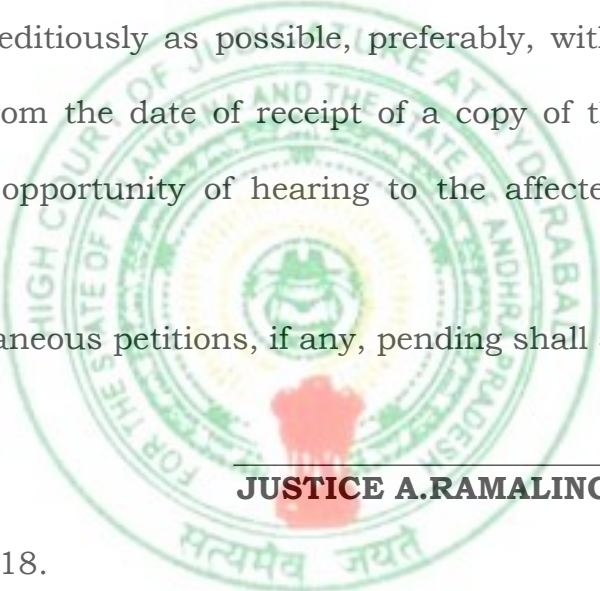
In view of the nature of the relief sought for and the manner in which the present writ petition is disposed, notice to the unofficial respondents is dispensed with.

It is the case of the petitioners that they are the legal representatives of the original owners (Inamdars) of the land admeasuring Acs.12.14 guntas, Acs.3.34 guntas, Acs.6.24 guntas, Acs.3.11 guntas and Ac.0.23 guntas, respectively situated at Perkit Village, Armour Mandal, Nizamabad District. It is stated that the said land is a service Inam granted in favour of the petitioners' predecessors in interest. It is also stated that respondents 4 to 9 applied to respondent No.3 for grant of Occupancy Rights Certificates in respect of the said land on the ground that the predecessors in interest of the petitioners sold the aforesaid land under un-registered agreements of sale and the same was regularised under the provisions of Andhra Pradesh Rights in land and Pattadar Pass Books Act, 1971, and hence they are entitled for grant of Occupancy Rights Certificates. Though the petitioners

filed their objections, the 3rd respondent passed an order on 27.06.2017 granting Occupancy Rights in favour of respondents 4 to 9. Hence, the petitioners preferred a Statutory Appeal before the 2nd respondent along with an application seeking stay of the said order in July, 2017. But when no orders are passed either in the stay application or in the appeal, the present writ petition is filed.

In the above circumstances, without going into the merits of the case, this Writ Petition is disposed of directing the 2nd respondent to consider and dispose of the stay application filed by the petitioners in the pending Statutory Appeal No.FI/1396 of 2017, as expeditiously as possible, preferably, within a period of four weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the affected parties. No costs.

Miscellaneous petitions, if any, pending shall stand closed.



JUSTICE A.RAMALINGESWARA RAO

8th March, 2018.

Note:

Issue CC in one week.

(B/o)

ssp