

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.7937 OF 2018

Dated:19.03.2018

Between:

S.V.K.B. Aditya Lakshmana Rao,
S/o. S.V. Jagannadha Rao,
Age 58 years, Occ: Agriculture,
R/o. Palace, Kollapur Town,
Kollapur Mandal, Nagarkurnool
District and another

.. Petitioners

And

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

.. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.7937 OF 2018****ORDER:**

Heard learned counsel for the petitioners and learned Government Pleader for Revenue appearing for respondents 1 to 5.

2. This Writ Petition is filed challenging the notice dated 23.08.2017 issued by the Revenue Divisional Officer, Nagarkurnool District, the 3rd respondent. By this notice, petitioners were informed the date of hearing and they were advised to appear along with the documentary evidence. It appears that on the application filed by the petitioners for grant of Occupancy Rights Certificate (ORC), objections were filed and rivals also filed application to grant ORC and a date was fixed for hearing the respective claimants.

3. It appears, petitioners filed counter to the objections filed by S.V.K.B. Aditya Lakshma Rao and hearing took place on the date fixed. According to learned counsel for the petitioners, the last date fixed for hearing was 17.03.2018 and so far no orders are passed.

4. Learned counsel for the petitioners does not dispute that the Revenue Divisional Officer is competent authority to grant ORC and the application filed by the petitioners and the application filed by the unofficial respondents respectively to grant ORC is pending consideration by the 3rd respondent. In order to consider the respective applications, when objections are received, the 3rd respondent is entitled to give opportunity of hearing. By the impugned notice, a date of hearing was fixed. On the assumption that the 3rd respondent is likely to pass an adverse order even before a decision is made by him and at the stage when notice of

hearing was issued, the Court is not inclined to entertain the Writ Petition, more so when he is required to give opportunity to place the material on record in support of respective claims and hearing.

5. The Writ Petition is accordingly dismissed leaving it open to the petitioners to work out their remedies as available in law as and when a decision is made by the Revenue Divisional Officer. There shall be no order as to costs.

Miscellaneous Petitions, if any, filed in this Writ Petition shall stand closed.

Date:19.03.2018

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P. NAVEEN RAO, J