

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

W.P.NO.11527 OF 2005

ORDER:

The petitioner filed this writ petition, challenging the proceedings No.B/1456/2004, dated 15-4-2005 of the first respondent, Deputy Collector & Mandal Revenue Officer, Hayathnagar Mandal, Ranga Reddy District.

2. It is the case of the petitioner that he is absolute owner and pattedar and he is in possession and enjoyment of the land in Sy.No.84, admeasuring Ac.1.12 guntas, situated at Thatti Annaram Village, Hayathnagar Mandal, Ranga Reddy District. The said land was purchased through a registered sale deed in the year 1969 and that the name of petitioner has been entered in the Record of Rights since 1974-75 onwards. While so, the first respondent at the behest of respondents 2 and 3 ordered for changing the entries in the Record of Rights in favour of respondents 2 and 3 without initiating any proceedings as contemplated under law and without giving any notice and also without giving reasonable opportunity of personal hearing to the petitioner. The said action of the first respondent, which is under challenge was passed placing reliance upon a compromise decree in O.S.No.887 of 1987 dated 24-07-1992 on the file of the Court of IV Additional Judge, City Civil Court, Hyderabad and C.M.P.No.299 of 2001 in C.C.A.No.30 of 1993 dated 15-02-2001 on the file of this Court among the family members of Mir Abbas Ali Khan and others. On 5-5-2005, the petitioner made an application to the first respondent, requesting him to furnish the copy of impugned order dated 15-04-2005, but the first respondent refused to do so.

3. Heard.

4. The impugned order on the face of it appears to be violative of principles of natural justice as no opportunity was given to the petitioner and on the sole ground itself this writ petition is liable to be allowed.

5. Accordingly, the writ petition is allowed, setting aside the proceedings No.B/1456/2004, dated 15-4-2005 of the 1st respondent. However, the parties are at liberty to work out their remedies available under law afresh. As a sequel, the miscellaneous petitions pending if any shall stand closed.

Date: 24-08-2018
Shr



T.AMARNATH GOUD,J