

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION NO.10867 OF 2007

ORDER:

This writ petition is filed seeking to declare the action of respondent No.1 for dismissing the case in File No.NA1/44/1994, dated 7-06-1999, by confirming the orders of respondent No.2 in File No.B3/2308/1988, dated 30-07-1991 as illegal, arbitrary and against the principles of natural justice.

2. It is the case of the petitioner that an extent of Ac.700.00 land which was given in grant under Service Inam is in dispute and the issue whether the land pertains to the category of Mouza Makta Jagir land or Inam of Machanpalli Hamlet of Gangaram Village, Vikarabad Mandal, Ranga Reddy District is in dispute. Out of Ac.700.00 of lands, the present situation is that entire lands have been occupied by land grabbers, several alienations have taken place, permanent constructions have come up and hardly about Ac.3.50 cents of land is available unoccupied.

3. As seen from the revenue records, Muntakab of the village entries show that it pertains to Inam.

4. Heard.

5. In the facts and circumstances of the case, without expressing any opinion on merits, while drawing the attention to the orders passed by this Court in W.P.Nos.413 of 1954 and 722 of 1967 dated 11-06-1969, wherein this Court passed orders with an

observation that admittedly mouza Makta is disputed and the said question has to be decided by the Nizam Atiyat. The enquiry officers of Nizam Atiyat was abolished way back and presently, the functionary is the District Collector and since the District Collector has not decided the issue of the category of land as Mouza Makta or Mouza Atiyat, and therefore, the orders passed by the 2nd respondent/Joint Collector, which were confirmed in appeal by the 1st respondent/Chief Commissioner of Land Administration dated 7-6-1999 are liable to be set aside, remanding the matter to the District Collector, Vikarabad District to enquire into the matter and pass orders as expeditiously as possible by giving opportunity to all concerned and also placing reliance on the records available and the petitioner Mutt shall file a fresh representation, enclosing the evidence in their favour.

6. The writ petition is disposed of accordingly. No order as to costs. As sequel, the miscellaneous petitions pending if any shall stand closed.

T.AMARNATH GOUD,J

Date: 02-05-2018
Shr