

**HON'BLE SRI JUSTICE C. PRAVEEN KUMAR**

**WRIT PETITION No.29525 OF 2018**

**ORDER:**

The present writ petition came to be filed seeking to declare the proceedings dated 6.4.2014, issued by the 3<sup>rd</sup> respondent, as illegal and arbitrary.

The grievance of the petitioners is that the 2<sup>nd</sup> petitioner is the owner and possessor of land admeasuring Acs.1.19, 2.00, 1.39, 2.16 and 1.00 cents, situated at Sy.Nos.571, 572, 573 and 580 respectively of Shivar of Suraram Revenue Village of Elkathurthy Mandal, Warangal Urban District. Subsequently, the 2<sup>nd</sup> petitioner purchased land admeasuring Ac.3.22 gts situated in Sy.No.642 in the name of the 1<sup>st</sup> petitioner firm. While things stood thus, basing on the representation made by the respondents 5 and 6 herein, the 3<sup>rd</sup> respondent issued the impugned proceedings recording their names in the revenue records in respect of the above said properties, without issuing any notice to the petitioners who are in possession of the same. Questioning the same, the petitioners preferred an appeal before the 2<sup>nd</sup> respondent-R.D.O in Appeal No.1914 of 2018, against the respondents 3, 5 and 6 herein under Sections 5(3) & 5(B) of the Rights in Land and Pattadar Passbooks Act, 1971 and 1989, and the same is pending consideration. It is also brought to the notice of this Court that an application seeking stay of the impugned proceedings was also filed along with the said appeal.

Learned counsel for the petitioners submits that though the petitioners filed the stay application along with the Appeal No.1914 of 2018 before the 2<sup>nd</sup> respondent-R.D.O on 22.4.2018, questioning the impugned proceedings, the 2<sup>nd</sup> respondent did not pass any orders either in the stay petition or in the main appeal, so far.

Having regard to the facts and circumstances of the case, the writ petition is disposed of directing the 2<sup>nd</sup> respondent-R.D.O to deal with the

stay application/appeal No.1914 of 2018, as the case may be and pass appropriate orders, as early as possible preferably, within a period of six to eight weeks from today, in accordance with law, after giving the reasonable opportunity of hearing to the petitioners and all the concerned.

With the above direction, the writ petition is disposed of. No order as to costs. As a sequel to disposal of the writ petition, WP.M.Ps if any pending shall stand closed.

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**C. PRAVEEN KUMAR, J**

Dated:21.08.2018.  
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