

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.3355 of 2013

ORDER:

It is the case of the petitioners that lands to an extent of Ac.5.00 each situated in Survey Nos.272/1 and 272/3, originally assigned to B.Narasamma and B.Kesamma by the third respondent by proceedings dated 13.09.1961. Both of them are sisters. After their death, the lands were transferred to B.Anjaneyulu and B.Ramakrishna, respondents 4 and 5 herein. Since respondents 4 and 5 are having lands (big pattadars), the Mandal Revenue Officer recommended for cancellation of assignments and submitted proposals to the second respondent. The third respondent accordingly, issued a show cause notice to respondents 4 and 5 to submit their explanation. Since they did not submit the explanation within the stipulated time, the second respondent cancelled the assignments by an order, dated 13.04.1997. Challenging the same, respondents 4 and 5 filed an appeal before the first respondent on 09.09.1998. The first respondent remanded the matter to the second respondent since the cancellation took place after thirty years. After remand, the second respondent passed order on 21.06.2008 holding that the assignment made in favour of B.Narasamma and B.Kesamma are irregular and consequently, the transfers made in favour of respondents 4 and 5 was also declared to be void. The petitioners state that they are in possession and enjoyment of the said property and they were impleaded in the proceedings of the second respondent, dated 21.06.2008. It appears that against the said order of the second respondent, dated 21.06.2008, a revision/appeal was filed before the first respondent and when the

same was not disposed of by the first respondent pursuant to the order, dated 21.06.2008, the present Writ Petition is filed.

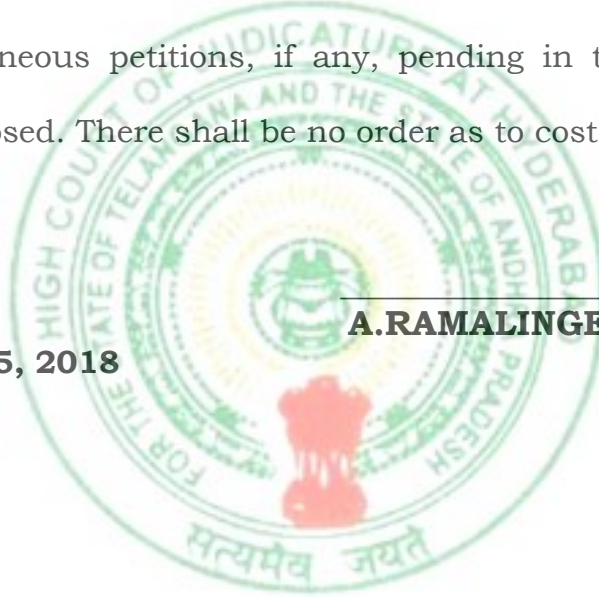
2. Learned Government Pleader submits that the revision/appeal is still pending before the Chief Commissioner of Land Administration, Hyderabad.

3. In view of the same, this Writ Petition is disposed of directing the first respondent to consider the said revision/appeal and pass appropriate orders thereon in accordance with law, within a period of three months from the date of receipt of a copy of this order.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

FEBRUARY 15, 2018
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A.RAMALINGESWARA RAO, J



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Date:15.02.2018

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