

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.1253 of 2019

ORDER:

The prayer of the petitioners in this case reads as under:

'For the reasons setout in the affidavit accompanying this hon'ble Court be pleased to direct the respt. No.2 herein to decide the appeal filed by late Mr.Kailas Sreeramulu, in case No.C1/3149 of 2012, filed against the order of respt.No.3 in Case No.C/2732/86 dt. 23-04-1988 with regard to the lands in Sy.No.441 and 422 of Gandiguda Village Hamlet of Sulthanpur Village, Patancheru Mandal, Sanga Reddy District within a period of one month, by issuing a WRIT OF MANDAMUS or an appropriate writ, Order or Direction as This Hon'ble Court deems fit and proper in the circumstances of the case.'

Having received instructions, learned Assistant Government Pleader for Revenue, State of Telangana, would inform this Court that the appeal is still pending consideration before the Revenue Divisional Officer, Sanga Reddy District (RDO). He would state that in the light of the complicated issues arising in the appeal, the RDO was constrained to call for a report from the Tahsildar, Patancheru Mandal, Sanga Reddy District.

Sri J.Suresh Babu, learned counsel for the petitioners, would inform this Court that the report was submitted by the Tahsildar long ago.

In any event, it is not open to a statutory appellate authority to keep an appeal filed before him pending indefinitely. Valuable property rights of the parties would be at stake and the prayer itself demonstrates that the appeal was filed as long back as in the year 2012 in relation to the primary order dating back to 1988.

In that view of the matter, the writ petition is disposed of directing the Revenue Divisional Officer, Sanga Reddy District, to take up the appeal in C1/3149/2012 pending before him and dispose of the same on

merits after giving due opportunity of hearing to all parties concerned expeditiously and in any event, not later than three months from the date of receipt of a copy of this order.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

Date:18.02.2019

Note:

Furnish C.C. in two days.

(B/o) PGS

