

HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.2284 OF 2019

ORDER:

1 The prayer of the petitioner in this case reads as under:

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue writ or direction more particularly one in the nature of writ of mandamus declaring the action of the Revenue Divisional Officer Mahaboobabad in not suspending the operation of the orders passed by the Tahsildar Bayyaram Mandal Mahabubabad District in Rc No B/151/2015 dated 642018 as illegal arbitrary and in violation of Articles 14 19 and 21 and 300 A of the Constitution of India and to pass such other order or orders as this Hon'ble Court may deem fit just and proper in the circumstances of the case.”

2 In the light of the order proposed to be passed by this Court, without going into merits of the matter, it would not be necessary to put the 4th respondent on notice or afford him an opportunity of hearing.

3 Learned Assistant Government Pleader for Revenue, State of Telangana, would inform this Court, upon instructions, that the Revenue Divisional Officer, Mahaboobabad has already issued notice to the 4th respondent in the pending Appeal filed by the petitioner under Section 5-B of the Telangana Rights in Land and Pattadar Pass Books Act, 1971 (for brevity 'the Act of 1971') and has posted the stay application filed therein for hearing on 23.02.2019.

4 As the Revenue Divisional Officer, Mahaboobabad, has already put the unofficial respondent in the said Appeal on notice, it would be open to him to deal with the stay application filed therein by the petitioner, on the day of its posting, on its own merits and in accordance with law.

5 The Writ Petition is accordingly disposed of directing the Revenue Divisional Officer, Mahaboobabad, to consider the petitioner's stay application in the Appeal filed by him on merits and pass appropriate orders thereon on 23.02.2019 or any short date thereafter.

6 Pending Miscellaneous Petitions, if any, shall stand closed. No order as to costs.

JUSTICE SANJAY KUMAR

18th February, 2019
Kvsn

