

HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.3133 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 4th respondent in not considering the representation dated 16.1.2019 submitted by the petitioner herein to implement the proceedings B/657/2017 Dt 31.12.2018 as illegal arbitrary and unjust and violation of Telangana pattadar passbooks Act 1971 and consequently direct the 4th respondent to consider the representation Dt 16.1.2019 and initiate action in accordance with law and pass such other relief or reliefs as this Honble Court deems fit and proper in the circumstances of the case.”

2 Perusal of the representation dated 16.01.2019 demonstrates that the petitioner thereby sought implementation of the appellate order dated 31.12.2018 passed by the Revenue Divisional Officer, Karimnagar District.

3 Sri N. Hari Prasad, learned counsel appearing for the 4th respondent, would however inform this Court that as against the aforestated appellate order dated 31.12.2018, the 4th respondent filed a revision under Section 9 of the Telangana Rights in Land and Pattadar Passbooks Act, 1971, before the Joint Collector, Karimnagar, and the same was taken on file as Revision Petition No.D1/2037/2018. Learned counsel would further inform this Court that a stay application was also filed in the said Revision Petition and the same is pending consideration.

4 In the light of the aforestated facts, it is not open to the petitioner to straightaway seek implementation of the appellate order at this stage. In the event the stay application filed by the 4th

respondent in the pending revision or the main revision is dismissed, the petitioner would be at liberty to make such request. As that stage is yet to pass, the present Writ Petition is premature and is accordingly dismissed.

5 Pending Miscellaneous Petitions, if any, shall also stand dismissed. No order as to costs.

JUSTICE SANJAY KUMAR

Date: March 19, 2019.

Kvsn

