

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.3386 of 2019

ORDER:

The prayer of the petitioners 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 a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents 3 to 5 herein for rejecting the Petitioner's (Petitioner's husband late Avula Chinna Krishna) application vide Lr.No.E/12601/2008 dt.24.07.2010 to an extent of 300 Sq. Yards (271.78 Sq. Yds) of Door No.8-2-293/82/3 situated in Sy.No.403 correlated to T.S.No.1/1/1A/1, Ward No.10, Block-B, Jawaharnagar, Shaikpet Village and Mandal, Hyderabad District and regularizing the adjacent plots vide Plot No.2 of Door No.8-2-293/82/2 through Registered Document No.3739/2009 dt.03.12.2009 and Plot No.5 of Door No.8-2-293/82/5 through Registered Document No.1086/2009 dt.14.08.2008 by the 3rd respondent is bad, illegal, arbitrary, unconstitutional and without any authority of law and consequently direct the 1st respondent herein to prosecute the 3rd and 5th respondent who rejected the said application with malafide intention with deliberate suppression of wrong survey number and registered documents adjacent to the Petitioner's Plot and further re-reconsider the petitioner's rejected application vide Lr.No.E/ 12601/2008 dt.24.07.2010 for regularization as submitted on 03.01.2019 in accordance with G.O.Ms.No.166, Revenue (Assn.I), dated 16.02.2018 extended in continuation through of G.O.Ms.No.134, Revenue (ASSN.I) Department dated 16.07.2018 as considered by the Honourable High Court Division Bench in CMA No.1121 of 2018 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.'

Though a challenge was laid to the earlier rejection order dated 24.07.2010, Sri V.Surendra Reddy, learned counsel for the petitioners, would state that it would suffice if the authorities consider the application

dated 03.01.2019 made by the petitioners, without reference to the earlier rejection of their predecessor, *vide* letter dated 24.07.2010. Learned counsel would point out that after issuance of G.O.Ms.No.134, Revenue (Assn.I) Department, dated 16.07.2018, the petitioners made the subject application dated 03.01.2019 seeking regularization of their rights and possession over the subject plot in accordance therewith.

As it is an admitted fact that the authorities are yet to consider the aforestated application dated 03.01.2019 and pass appropriate orders thereon, this Court sees no reason to entertain this writ petition or keep it pending for adjudication.

The writ petition is accordingly disposed of directing the Collector, Hyderabad District, the third respondent, to consider the petitioners' application dated 03.01.2019 on its own merits and in accordance with law expeditiously and in any event, not later than four weeks from the date of receipt of a copy of this order, be it from whatever source.

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

JUSTICE SANJAY KUMAR

Date:27.03.2019

Note:

Furnish C.C. by 01.04.2019
(B/o) PGS