

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.4254 of 2019

ORDER:

The prayer of the petitioner in this case reads as under;

“that this Hon'ble Court may be pleased to issue order or direction more particularly in the nature of writ of mandamus declaring the action of respondent No.5 in not conducting denovo enquiry as per the orders of the 4th respondent vide Case No.A2/1048/2015 dated 30.08.2018 as illegal, arbitrary, against the principles of natural justice and violative of Articles 14 and 21 of the Constitution of India and consequently direct the 5th respondent to complete the denovo enquiry as per the orders of the 4th respondent in Appeal vide Case No.A2/1048/2015 dated 30.08.2018 forthwith and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case”.

In the light of the order proposed to be passed by this Court without going into the merits of the matter, it would not be necessary to put the 6th respondent on notice at this stage or afford him an opportunity of hearing.

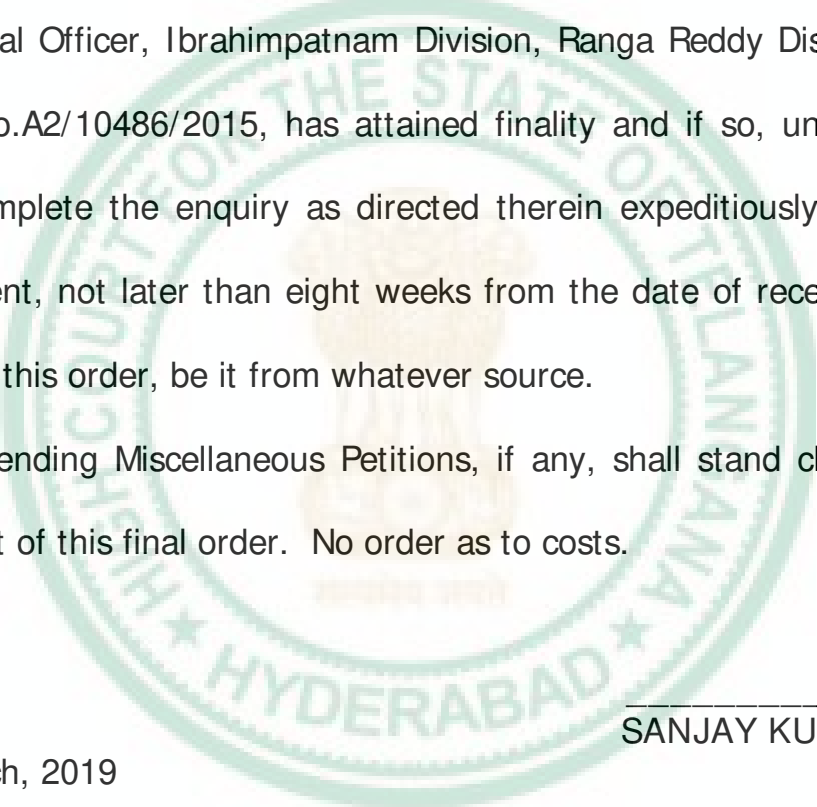
Perusal of the order dated 30.08.2018 passed by the Revenue Divisional Officer, Ibrahimpatnam Division, Ranga Reddy District, in exercise of appellate power under Section 5(5) of the Telangana Records of Rights in Land and Pattadar Pass Books Act, 1971, demonstrates that he directed the Tahsildar, Ibrahimpatnam Mandal, Ranga Reddy District, to conduct a denovo enquiry and pass orders after giving notice to all parties concerned upon verification of the documents produced by them. Be it noted that this order was passed after due notice to the 6th respondent herein.

In the event the aforesaid order dated 30.08.2018 has attained finality and has not been set aside either by the revisionary authority or by any competent Court, it is incumbent upon the Tahsildar, Ibrahimpatnam Mandal, Ranga Reddy District, to obey the directive of his superior, the statutory appellate authority.

The Writ Petition is accordingly disposed of directing the Tahsildar, Ibrahimpatnam Mandal, Ranga Reddy District, to verify as to whether the order dated 30.08.2018 passed by the Revenue Divisional Officer, Ibrahimpatnam Division, Ranga Reddy District, in Case No.A2/10486/2015, has attained finality and if so, undertake and complete the enquiry as directed therein expeditiously and in any event, not later than eight 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.

1st March, 2019

SANJAY KUMAR, J

sj