

THE HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.4499 OF 2019

ORDER

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

'For the reasons stated in the accompanying affidavit the Hon'ble Court may be pleased to issue a writ or direction preferably a writ in the nature of writ of mandamus or any other appropriate writ declaring action of the respondent No.4 in not taking steps to dispose of petitioner's representation dt.08-02-2018 as per order passed by the respondent No.3 in Case No.F2/532/2016, dt.06-01-2018 is illegal, arbitrary, against Article 300-A of Constitution of India and consequently direct the respondent No. 4 to record the name petitioners as pattedar of land in Sy.No.428 of Juluru Village, B. Pochampally Mandla, Nalgonda District and for issuance of Pattedar Pass Books and Title Deeds or pass such other order or orders as the Hon'ble Court may deems fit and proper in the interest of justice.'

Perusal of the order dated 06.01.2018 passed by the Joint Collector, Yadadri Bhongir District, in the revision filed under Section 9 of the Telangana Rights in Land and Pattadar Pass Books Act, 1971, demonstrates that he directed the Tahsildar, B.Pochampally Mandal, to conduct a de novo enquiry after providing due opportunity of hearing to all the persons, including the revision petitioner and the Deputy Collector and Secretary, Telangana Bhoodan Yagna Board, and the allottees, so as to decide whether it is a Bhoodan or patta land and pass appropriate orders within three months from the date of the order.

On 06.03.2019, learned Assistant Government Pleader for Revenue, was asked to get instructions as to why the matter has been kept pending by the Tahsildar concerned. Today, the learned Assistant Government

Pleader would inform this Court that the Tahsildar has already issued notice to the Bhoodan Yagna Board but is yet to conclude the de novo enquiry.

It is not open to the Tahsildar, B.Pochampally Mandal, Yadadri Bhongir District, to ignore the time stipulation fixed by the Joint Collector, Yadadri Bhongir District, in the revisionary order dated 06.01.2018. Though the said order required the Tahsildar to complete the enquiry within three months from the date of the order itself, he is yet to do so despite passage of more than a year.

The writ petition is disposed of directing the Tahsildar, B.Pochampally Mandal, Yadadri Bhongir District, to complete the de novo enquiry as directed by the Joint Collector, Yadadri Bhongir District, in his revisionary order dated 06.01.2018 expeditiously and in any event, not later than one month from the date of receipt of a copy of this order, be it from whatever source.

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

13th MARCH, 2019

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SANJAY KUMAR, J