

HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.5604 of 2019

ORDER:

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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in changing revenue records without giving an opportunity to the petitioner to submit his version as illegal, arbitrary, unjust, improper and unconstitutional and violates the Articles 14 and 300A of the Constitution of India and consequently direct the Respondents not to change the revenue records without giving opportunity to the petitioner to submit his version and to pass such other order or orders as this Honourable Court may deem fit and proper in the facts and 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 respondent No.5 on notice at this stage or afford her an opportunity of hearing.

It is an admitted fact that aggrieved by the order dated 06.6.2016 passed by the Revenue Divisional Officer, Siddipet Revenue Division, Siddipet, the petitioner preferred a Revision under Section 9 of the Telangana Rights in Land and Pattadar Passbooks Act, 1971, before the Joint Collector, Siddipet District. The said Revision seems to have been taken on file as Case No.F3/489/2019. Notice dated 27.02.2019 was issued in the said Revision to the parties requiring them to attend the hearing of the matter on 20.4.2019.

While so, the apprehension of the petitioner is that the order dated 06.6.2016 which is the subject matter of the Revision may be given effect to pending the consideration of the Revision.

Sri A.Govinda Reddy, learned counsel for the petitioner, would point out that along with the Revision the petitioner also filed an application for grant of stay pending its disposal.

As the revisionary authority proposes to take up the case for hearing on 20.4.2019, it would suffice at this stage if such authority is directed to consider the stay application on its merits on that day and pass appropriate orders thereon in accordance with law.

The Writ Petition is disposed of directing the Joint Collector, Siddipet District, to take up the stay application filed in the pending Revision bearing case No.F3/489/2019 on 20.4.2019 as per the notice dated 27.02.2019 issued to the parties and pass appropriate orders thereon on merits and in accordance with law.

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

19th March, 2019
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JUSTICE SANJAY KUMAR