

HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.6186 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 respondent No.3 in not disposing of File No.B/1819/2018 proceedings under Section 5-A of TS ROR Act except issuing the Notice dated 30.10.2018 and not taking up further hearing of the case as illegal, arbitrary, bad, against the Principles of Natural Justice and against Article 21 of Constitution of India and consequently, direct respondent No.3 to dispose of File No.B/1819/2018 under Sec 5A of TS ROR Act as expeditiously as possible 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.”

Perusal of the record reflects that the Tahsildar, Tirumalgiri Mandal, Nalgonda District, accepted the application made by the petitioner in Form X for regularisation of his unregistered title deed under the provisions of Section 5-A of the Telangana Rights in Land and Pattadar Passbooks Act, 1971 (for short 'the Act of 1971'), and issued a notice in Form XI as long back as on 30.10.2018.

The grievance of the petitioner presently is that no steps have been taken thereafter.

It is not open to the statutory authority to entertain an application under Section 5-A of the Act of 1971 and keep the same pending indefinitely. Valuable property rights of the parties would be at stake and the delay on the part of the revenue authorities in discharge of their statutory functions would invariably impact such rights adversely.

The Writ Petition is accordingly disposed of directing the Tahsildar, Tirumalgiri Mandal, Nalgonda District, to take up the proceedings pending in File No.B/1819/2018 and take appropriate action in accordance with the due procedure prescribed in Section 5-A of the Act of 1971 read with Rule 22 of the Telangana Rights in Land and Pattadar Passbooks Rules, 1989. This exercise shall be completely expeditiously and in any event, not later than six 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.

26th March, 2019
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JUSTICE SANJAY KUMAR

