

THE HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.6278 OF 2019

ORDER

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

‘For the reasons stated in the accompanying affidavit, the petitioners herein pray that the 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 particularly the 3rd respondent in not considering the application of the petitioners dated:09.05.2016 made for issuance of Certificate under section 38-E of the AP (TA) Tenancy & Agricultural Lands, Act, 1950 in respect of land bearing sy.nos.149 admeasuring Ac.17-02 Gts., sy.no.150, admeasuring Ac.9-06 Gts, sy.no.151 admeasuring Ac.10-11 Gts, sy.no.153 admeasuring Ac.3-11 Gts, sy.no.154 admeasuring Ac.6-12 Gts, sy.no.156 admeasuring Ac.13-33 Gts., & sy.no.157 admeasuring Ac.7-19 Gts., situated at Gudur Village, Kandukur Mandal, Ranga Reddy District, is illegal, arbitrary, unjust, unconstitutional and in violation of principles of natural justice and also contrary to the provisions of AP (TA) Tenancy & Agricultural Lands, Act, 1950, and consequently direct the respondents to issue Certificate to the petitioners in respect of the subject land, after following the procedure strictly in accordance with law, and pass such other order or orders as the Hon’ble Court may deem fit and proper.’

Despite the matter being adjourned thrice to enable the learned Assistant Government Pleader for Revenue to obtain instructions, he states that he was unable to do so.

As the petitioners are seeking innocuous relief in the form of consideration of their application dated 09.05.2016 for issuance of a certificate under Section 38-E of the Andhra Pradesh (Telangana Area)

Tenancy and Agricultural Lands Act, 1950, this Court sees no purpose served in keeping the writ petition pending for adjudication on merits. It is for the authorities concerned to consider the said application on its own merits and in accordance with law in the first instance.

As the application was made as long back as on 09.05.2016, it is possible that the authorities may not be able to lay their hands on the same immediately.

In that view of the matter, the writ petition is disposed of permitting the petitioners to submit a fresh application reiterating the request made by them in their earlier application dated 09.05.2016. The Revenue Divisional Officer, Kandukur Division, Ranga Reddy District, shall consider such application as and when made on its own merits and in accordance with law expeditiously and in any event, not later than eight weeks from the date of receipt of such application.

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

10th JUNE, 2019

SANJAY KUMAR, J

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