

THE HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.6923 OF 2018

ORDER

The prayer of the petitioners 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 a writ or order more particularly one in the nature of writ of mandamus declaring the action of the 6th respondent in issuing impugned proceedings No.D/434/2008 dated 24-6-2014 rejecting the claim of the petitioners in respect of the petitioners landed property covered by survey Nos.1 to 101 admeasuring Ac.1351.00 without considering the petitioners written submissions dated 31-5-2014 and also not taking any steps inspite of the petitioners written representation dated 8-8-2017 as illegal, arbitrary, unjust and also against the provisions of AP ROR Act 1971 and Rules 1989 and also against the provisions of Survey and Boundaries Act 1923 and set aside the same and consequential directions to the respondents to cause a detailed enquiry basing on the sethuwar and include the names of the petitioners as pattedars and possessors against the petitioners landed properties covered by survey Nos.1 to 101 admeasuring Ac.1351.00 situated at Bahadurguda village, Shamshabad mandal, Rangareddy District and issue pattedar passbooks and title deeds in favour of the petitioners forthwith and to pass such other order or orders as this Hon’ble Court may deem fit just and proper in the circumstances of the case.’

The order impugned in this writ petition is dated 24.06.2014. It was passed by the Tahsildar, Shamshabad Mandal, Ranga Reddy District, in exercise of power under Section 5 of the Telangana Rights in Land and Pattadar Pass Books Act, 1971, which is appealable under Section 5(5) thereof within 30 days.

It is not the case of the petitioners that they were not aware of the passing of the aforestated proceeding by the Tahsildar. However, not even an excuse is offered in the writ affidavit for the long delay of nearly four years in the filing of this writ petition. It is therefore clear that the writ petition is merely speculative and constitutes a belated attempt on the part of the petitioners to challenge the aforestated order dated 24.06.2014 for some extraneous reasons. The delay and laches on the part of the petitioners in taking steps to assail the said order, be it before the appellate authority or at least before this Court, is fatal.

The writ petition is accordingly dismissed on this short ground. Pending miscellaneous shall also stand dismissed. No order as to costs.

26th MARCH, 2019

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SANJAY KUMAR, J

