

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION No.8962 OF 2019

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking to declare the action of respondent No.4 in issuing notice in R.C.No.A/328/2019, dated 18.04.2019, as illegal and arbitrary.

2. Heard learned counsel for the petitioner and the learned Assistant Government Pleader for Revenue, appearing for the respondents, and perused the record.

3. A perusal of the record shows that on an application by one Khaja Ameenuddin, the impugned notice, dated 18.04.2019, was issued by respondent No.4/Tahsildar, Madhira. Learned counsel for the petitioner would contend that there is serious dispute of title with regard to the land in Survey No.942, situated at Maturu Village, Madhira Mandal. The petitioner is claiming the said land to be a private patta land, whereas the Wakf Board and the said Khaja Ameenuddin are claiming the said land to be a Wakf land. There is a suit pending in O.S.No.44 of 2012 before the Wakf Tribunal in respect of the said land. A decision is required to be taken with regard to the character of the said land by the Wakf Tribunal. It is contended by the learned Assistant Government Pleader for Revenue that no action has been taken yet on the application filed by said Khaja Ameenuddin. The same is required to be examined and

disposed of in terms of Telangana Rights in Land and Pattadar Passbooks Act (for short, 'ROR Act').

4. Under these circumstances, certainly, when an application is filed before the Tahsildar, he has to conduct enquiry in terms of ROR Act and take a decision. So, the grievance put forth before this Court on behalf of the petitioner can also be put forth before the respondent No.4/Tahsildar, Madhira. So, no relief is required to be granted in this Writ Petition.

5. With the above observations, the Writ Petition is disposed of.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

Dr. SHAMEEM AKTHER, J

April 25, 2019.
MD