

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.12279 of 2019

ORDER:

The grievance of the petitioner is that the appellate authority, viz., the Sub-Collector, Bhadrachalam, Bhadradri Kothagudem District, is not disposing of her appeal which was taken on file as ROR Case No.02/BPD/2019.

In the light of the order proposed to be passed, it would not be necessary to put the fifth respondent on notice or afford her an opportunity of hearing at this stage.

It may be noted that the petitioner earlier filed W.P.No.2418 of 2019 complaining of inaction on the part of the revenue authorities upon her representation dated 11.10.2018. The said writ petition was dismissed on 08.02.2019 holding that the very representation made by the petitioner on 11.10.2018 was misconceived but leaving it open to her to invoke appropriate remedies available to her under law before the competent forum in accordance with the due procedure. Pursuant to the liberty granted, the petitioner seems to have filed the subject appeal which was taken on file by the Sub-Collector, Bhadrachalam, Bhadradri Kothagudem District, in ROR Case No.02/BPD/2019.

Perusal of the record reflects that the Sub-Collector, Bhadrachalam, Bhadradri Kothagudem District, also issued notice dated 30.04.2019 in the said appeal fixing the date of hearing as 13.05.2019.

Sri V.Praveen Kumar, learned counsel for the petitioner, would however complain that the appellate authority is yet to take up the stay application filed by the petitioner in the said appeal and in the meanwhile, the fifth respondent is taking steps which adversely impact the petitioner.

A hierarchy of remedies is provided under the Telangana Rights in Land and Pattadar Pass Books Act, 1971 (for short, 'the Act of 1971'), to afford quick justice to the citizens.

In such a situation, it is not open to a statutory authority vested with quasi-judicial powers under the Act of 1971 to delay the processing of a stay application filed in an appeal before it. Such delay would not only be counterproductive to the objective of the Act of 1971 but would also impact the valuable property rights of the parties.

The writ petition is accordingly disposed of directing the Sub-Collector, Bhadrachalam, Bhadradi Kothagudem District, to take up the stay application filed by the petitioner in the pending appeal and pass appropriate orders thereon expeditiously and in any event, not later than two 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.

JUSTICE SANJAY KUMAR

Date:20.06.2019

GJ