

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.17659 OF 2019

ORDER :

Heard the learned counsel for the petitioners, learned Government Pleader for Revenue for respondent Nos.1 to 3 and 5 and Sri Jagan Mohan Reddy, learned counsel for 4th respondent.

2. Challenging the Occupancy Right Certificate (ORC) issued in favour of Anjaneya Swamy Devalayam, Raigir Village, Bhongir Mandal, in the year 1997 and the mutation granted in favour of said temple in the revenue records to an extent of Acs.9.03 gts., in survey Nos.666, 679 and 667, the petitioners preferred appeal to the Revenue Divisional Officer in the year 2014-15. The Revenue Divisional Officer having found that ORC was issued in the year 1997, the name of said Temple is mutated in the revenue records to the above extent of land and as the appeal was preferred after more than 18 years as against thirty (30) days time prescribed under Section 24 of the Inam Abolition Act, dismissed the appeal. The petitioners preferred revision to the District Collector on 25.01.2019.

3. According to the learned counsel for the petitioners, the Revisional Authority has assigned number to the revision in July 2019 and notified 27.09.2019 as the hearing date.

4. This writ petition is filed alleging that the respondents are trying to dispossess the petitioners from the above extent of land

though the revision petition and the application to grant stay of order of the appellate authority preferred by them are pending.

5. Having regard to the findings recorded by the Appellate Authority/Revenue Divisional Officer, subject to decision of the Revisional Authority, prima facie, balance of convenience is not in favour of the petitioners. It appears that the occupancy right certificate was issued in the year 1997 in favour of the Temple and accordingly, revenue records reflected the name of the temple continuously. Therefore, at this stage, the Court cannot grant the relief of not to dispossess the petitioners, more so, when the revision petition along with the stay application is pending.

6. Therefore, granting liberty to the petitioners to prosecute the revision along with application to grant interlocutory orders, the writ petition is dismissed. No order as to costs. Pending miscellaneous petitions shall stand closed.

P.NAVEEN RAO, J

August 19, 2019

KTL

