

**THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM**

**WRIT PETITION No.20060 OF 2019**

**ORDER:**

This writ petition is filed seeking three reliefs *viz.*, firstly to direct the 4<sup>th</sup> respondent-Joint Collector to dispose of the revision petition No.D-5/2949/2018, secondly to direct the 5<sup>th</sup> respondent-Revenue Divisional Officer to dispose of the appeal in file No.A2/1111/2018 and thirdly to direct respondents 3, 6 to 8 not to hand over any piece of land in survey No.236 of Srinagar Village, Maheshwaram Mandal, Ranga Reddy District, in favour of respondents 13 to 19 and further to direct respondents 6 and 9 to conduct joint survey in survey No.236 and earmark the land illegally occupied by the Forest Department i.e. respondent Nos.3, 6 to 8.

2. Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue and learned Government Pleader for Forest Department and perused the record.

3. It is represented by the learned Government Pleader for Revenue that the revision filed by the 21<sup>st</sup> respondent is already disposed of by the Joint Collector. In that view of the matter, the first relief sought by the petitioner has become infructuous.

4. For the sake of convenience, the third relief sought by the petitioner is adjudicated before taking up the second relief.

5. Insofar as third relief is concerned, admittedly, the petitioner filed a civil suit before the Principal District Judge, Ranga Reddy at L.B.Nagar in O.S.No.800/2016 and the same is

pending adjudication. The main reliefs sought in the said suit are as follow:

- “ (a) A decree of declaration and recovery of possession of the suit schedule property i.e. land admeasuring Ac.1-30 gts., situated at Srinagar village, Maheshwaram Mandal, Ranga Reddy District.
- (b) A decree directing the defendants No.1 to 6 to pay an amount of Rs.1,00,000/- per acre per annum on the schedule property as mesne profit till recovery of possession.”

From the above, it is clear that the petitioner is not in possession of the subject property. Therefore, the third relief sought by the petitioner in this writ petition cannot be granted. Accordingly, the same is rejected

6. Insofar as second relief is concerned, admittedly the appeal is pending before the 5<sup>th</sup> respondent-Revenue Divisional Officer since the year 2018. As such, there cannot be any objection for the 5<sup>th</sup> respondent if a direction is issued to dispose of the appeal in a time frame.

7. In these circumstances, the writ petition is disposed of directing the 5<sup>th</sup> respondent-Revenue Divisional Officer to pass appropriate orders in the appeal filed by the petitioner vide Appeal No.A2/1111/2018, in accordance with law, within a period of six weeks from the date of receipt of copy of this order.

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

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**CHALLA KODANDA RAM, J**

17<sup>th</sup> September, 2019.

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