

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.21785 OF 2019

Date: 14.10.2019

Between:

Banoth Vimala W/o.Bikku Naik,
Aged about 65 yrs, Occu : Housewife,
R/o.Bommakuru Village, Narmetta Mandal,
Jangaon District (Warangal District)

.....Petitioner

And

The State of Telangana,
Rep., by its Principal Secretary,
Revenue Department,
Secretariat, Hyderabad & others.

.....Respondents



The Court made the following:

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.21785 OF 2019

ORDER:

Heard learned counsel for the petitioner and learned Government pleader for Revenue for respondents 1 to 3.

2. Petitioner obtained preliminary decree in O.S.No.108 of 2001 on the file of Junior Civil Judge, Jangaon, for partition of joint family properties. Partial relief was granted by the trial Court. Therefore, petitioner preferred appeal in A.S.No.02 of 2010 on the file of Senior Civil Judge, Jangaon. It was again partly decreed in her favour. Aggrieved thereby respondents 4 to 6 herein filed S.A.No.1125 of 2012 before this Court and the same is pending consideration. This Court has stayed the final decree proceedings. While so, petitioner alleges that respondents 4 to 6 went on alienating the properties and mutated the names of third parties even on the land falling to the share of petitioner, thereby causing hardship and suffering to the petitioner. Aggrieved by wrong mutations entered in the revenue records petitioner preferred Appeal No.A/855/2009 before the Revenue Divisional Officer-2nd respondent. But so far the said appeal is not disposed of by the 2nd respondent. Having come to know of continuous alienation of properties illegally, further objections are also made on 23.07.2019. But so far no decision is communicated, whereas the third party interest is being crept into repeatedly.

3. However, since appeal is pending since the year 2009 without expressing any opinion on merits, the Writ Petition is disposed of directing the Revenue Divisional Officer-2nd respondent to consider the appeal and pass orders after affording due

opportunity to both the parties, as expeditiously as possible, preferably within a period of six (6) weeks from the date of receipt of copy of this order. While considering the appeal the 2nd respondent shall also take due note of further objections filed by petitioner on 23.07.2019. If for any reason the appeal cannot be disposed of within the time fixed, he shall consider the interlocutory application in order to avoid further complications on the issue. Pending miscellaneous petitions, if any, shall stand closed.

14th October, 2019
Rds

P.NAVEEN RAO, J

