

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NOs.24764 & 26354 OF 2019

Date: 11.12.2019

W.P.No.24764 of 2019 :

Between:

Chepyala Janardhan Reddy,
Aged about 60 yrs, Occu : Agriculture,
S/o.Late Malla Reddy,
R/o.Bogram, Keesara Mandal,
Medchal-Malkajgiri District.

.....Petitioner

And

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

.....Respondents



The Court made the following:

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NOs.24764 & 26354 OF 2019

COMMON ORDER:

The petitioner in W.P.No.24764 of 2019 is the 3rd respondent in W.P.No.26354 of 2019. No representation on behalf of petitioner in W.P.No.24764 of 2019 on 04.12.2019. Today also there is no representation on behalf of the petitioner in W.P.No.24764 of 2019.

2. Heard learned counsel for the petitioner in W.P.No.26354 of 2019 and learned Government Pleader for Revenue for respondents 1 to 3.

3. In W.P.No.24764 of 2019, petitioner challenges the notice issued by Tahsildar on 14.10.2019 to conduct fresh enquiry on an application filed by the 4th respondent, who is the petitioner in W.P.No.26354 of 2019. The said notice was suspended by this Court on the ground that there was rejection for issuance of pattadar pass book and correction of entries in the revenue records, the question of entertaining another application by the Tahsildar, would not arise.

4. Learned counsel for the petitioner in W.P.No.26354 of 2019, submits that having realized that the application filed before the Tahsildar is not maintainable, petitioner preferred appeal before the Revenue Divisional Officer on 20.07.2019 and now he seeks the relief of disposing of the writ petition with a direction to consider the appeal preferred by the petitioner.

5. Learned counsel for the petitioner in W.P.No.26354 of 2019 fairly submits that W.P.No.24764 of 2019 can be allowed. Accordingly, W.P.No.24764 of 2019 is allowed.

6. Learned Government Pleader points out the document at page No.16 of W.P.No.26354 of 2019 is not in the form of appeal, but it is a representation, whereas, detailed procedure is prescribed in the Rules framed under the Telangana Rights in Land and Pattadar Pass Books Act, 1971.

7. Having regard to this objection, learned Counsel for the petitioner in W.P.No.26354 of 2019 fairly submits that petitioner would prefer appeal in proper form.

8. In view thereof, W.P.No.26354 of 2019 is disposed of granting liberty to the petitioner to prefer appeal on the issue agitated in the form of representation dated 20.07.2019, addressed to the Revenue Divisional Officer, and if such appeal is filed, the appellate authority shall consider the same, after affording due opportunity to both parties and pass appropriate orders as warranted by law, within a period of ten weeks from the date of filing of such appeal. Pending miscellaneous petitions, if any, shall stand closed.

P.NAVEEN RAO, J

11th December, 2019
Rds