

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.18230 OF 2015

ORDER:

1 The prayer of the petitioner in this case reads as under:

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue writ or direction more particularly one in the nature of writ of Mandamus declaring the proceedings of 5th respondent in Pro.No.A1/622/2009 dated 16.05.2015 where under it is refused to implement the order of 3rd respondent in proceedings No F1/2590/2014 dated 22.12.2014 for correction of entries in Sethwar and other related records with reference to land admeasuring Ac 2 00 gts in Sy.No.106 corresponding to old Sy.Nos.167 167/11 and 167/AA of Mubaraknagar Village Nizamabad Mandal and District excluding the said land from the area of Sikham land in Sy.No.106 of the said village and to treat the same as private land belonging to the petitioners family while observing to prefer appeal before the 2nd respondent as bad and illegal contrary to the provisions of A P T A Land Revenue Act 1317 Fasli besides offending Articles 14 and 300A of Constitution of India and consequentially to set aside the same and to direct the respondents No 4 and 5 to implement the orders of 3rd respondent in proceedings No F1/2590/ 2014 dated 22.12.2014 and pass such other relief or reliefs as this Hon'ble Court deems fit and proper in the circumstances of the case.”

2 Perusal of the record reflects that the petitioner is being made to run from pillar to post for correction of entries. A favourable report was submitted by no less than the Joint Collector, Nizamabad, as long back as on 30.6.2014, whereupon the Chief Commissioner of Land Administration, State of Telangana, addressed letter on 08.12.2014 to the Commissioner, Survey, Settlement and Land Records, State of Telangana, to take necessary action and report compliance at the earliest. In turn, the Commissioner of Survey, Settlement and Land Records, State of Telangana, issued proceedings dated 22.12.2014 permitting the Assistant Director, Nizamabad to take action for correction of entries under Section

87 of the Andhra Pradesh (Telangana Area) Land Revenue Act, 1317 Fasli, and requesting him to do the needful.

3 However, the counter affidavit filed by the Assistant Director, Survey, Settlement and Land Records, Nizamabad, would manifest that against the proceedings of the Commissioner, Survey, Settlement and Land Records, an appeal was preferred before the Commissioner (Appeals), Office of the Chief Commissioner, Land Administration, State of Telangana.

4 Sri P.V.Ramana, learned counsel representing Sri V.V.Venugopal Rao, learned counsel for the petitioner, would inform this Court that the said appeal was numbered as Appeal No.P3/321/2015 and despite the petitioner raising an objection as to the very maintainability of the said appeal in the light of the underlying history, set out supra, the said appeal is being kept pending without any steps being taken therein.

5 Given the aforesaid facts, this Court is of the opinion that it is not open to the authorities to keep the matter pending despite a decision having been taken at the highest level to permit correction of the entries, as sought by the petitioner.

6 The Writ Petition is accordingly disposed of directing the Chief Commissioner, Land Administration, State of Telangana, the 2nd respondent, to ensure disposal of the appeal bearing No.P3/321/2015 expeditiously and in any event, not later than four weeks from the date of receipt of a copy of this order, be it from whatever source. Necessary

action shall be taken thereafter by the authorities in terms of the final order that would be passed in the said appeal.

7 Pending miscellaneous applications, if any, in this Writ Petition shall stand closed.

SANJAY KUMAR, J.

Dt: 18.06.2019
Kvsn

