

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 27640 of 2019

Date : 13.12.2019

Between:

Fatima Begum and 3 others

W/o Late Mohammed Ghouse Aged about 63 years Occ House Wife

R/o H No 10-5-290/A Ahmed Nagar Masabtank Hyderabad

Petitioner

And

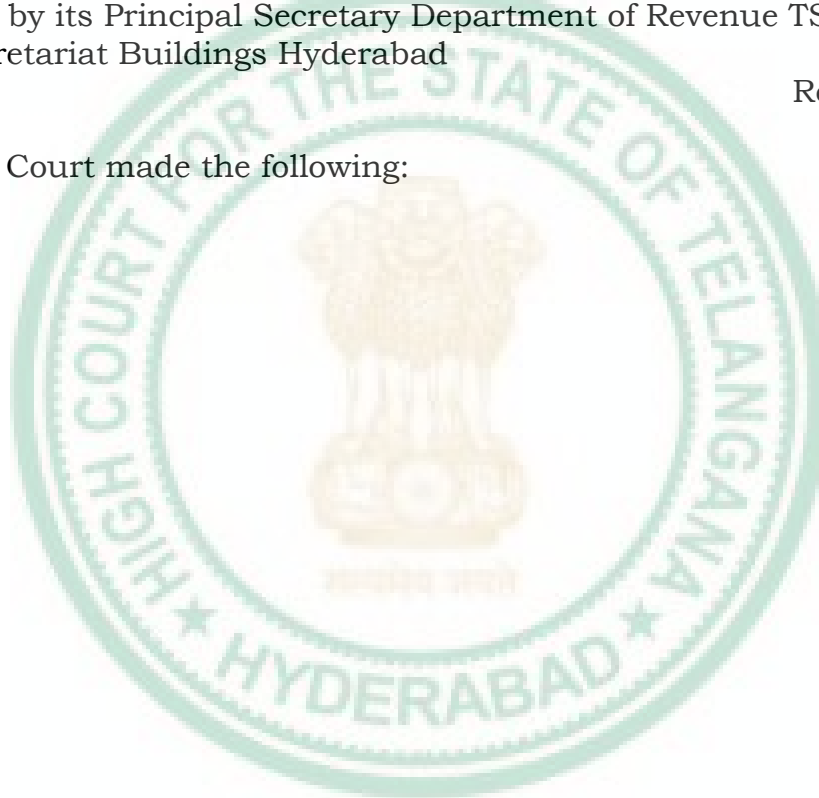
The State of Telangana and 3 others

Rep by its Principal Secretary Department of Revenue TS

Secretariat Buildings Hyderabad

Respondents

The Court made the following:



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ORAL ORDER:

Heard learned counsel for petitioners and learned Government Pleader for Revenue and with their consent writ petition is taken up for hearing at the admission stage.

2. Petitioners are aggrieved by final notice issued on 7.12.2019 directing petitioners to appear before 3rd respondent -Revenue Divisional Officer on 21.12.2019.

3. Learned counsel for petitioners submits that after receipt of earlier notice, petitioners appeared before the 3rd respondent and requested him to furnish certain documents but those documents are not furnished, as such, petitioners filed application under Right to Information Act before 4th respondent-Tahsildar and also before the Information Officer of the office of Revenue Divisional Officer and alleges that documents sought by petitioners are yet to be supplied. He also contends that Section 5-B(2) of The Telangana Rights In Land And Pattadar Passbooks Act, 1971 does not confer suo-moto power in 3rd respondent to entertain appeal after long lapse of time of more than 30 and 20 years respectively, as mentioned in the notice.

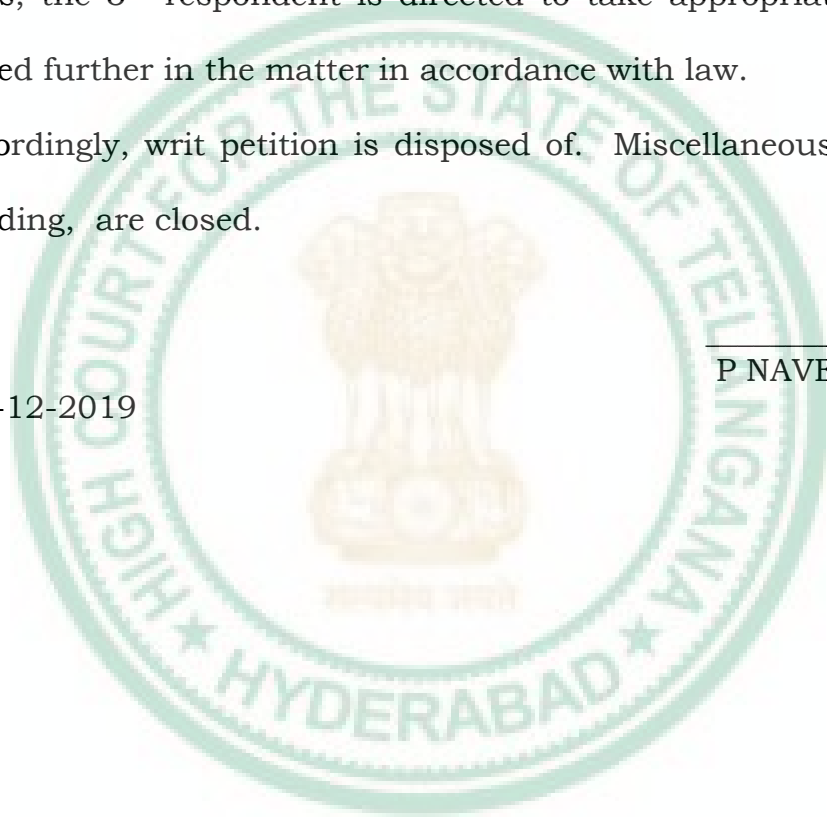
4. Prima facie, Section 5-B(2) of the Act, 1971 does not impose any limitation. However, it is always open to the aggrieved person to raise the plea of delay and laches in initiating the procedure, even assuming that limitation is not prescribed, such exercise has to be undertaken within reasonable time. However, so far, no such objection

is filed and no request in writing is made to the 3rd respondent to furnish the relevant documents. Therefore, petitioners are granted liberty to appear before the 3rd respondent on 21.12.2019 and submit application requesting to furnish relevant documents based on which suo-moto appeal was entertained. It is always open to petitioners to raise the issue of maintainability of the exercise undertaken by 3rd respondent. On filing of objections and request made for furnishing of relevant documents, the 3rd respondent is directed to take appropriate decision and proceed further in the matter in accordance with law.

Accordingly, writ petition is disposed of. Miscellaneous petitions, if any pending, are closed.

DATE: 13-12-2019
TVK

P NAVEEN RAO,J



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