

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.36493 of 2018

ORDER:

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

'For the reasons stated in the accompanying, it is prayed that this Hon'ble Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the inaction of the 2nd Respondent in disposing of the implead applications filed by the Petitioner on 03.05.2017 in pending Petition nos.1871 of 2015 & 1872 of 3115 filed U/s.32 of A.P.(T.A.) Tenancy Agriculture Lands Act 1950 and issuing memo no.B/1871/2015, 1872/2015 & 1873/2015 dated 23.08.2017 asking the Petitioner to produce the legal heir certificate issued by the competent civil court as contrary to the provisions of A.P.(T.A.) Tenancy Agriculture Lands Act 1950 more specifically section 40 of the said Act, 1950, violative of Articles 14, 300A of the Constitution Of India.'

Having received instructions, learned Assistant Government Pleader for Revenue, State of Telangana, would inform this Court that the implead applications filed by the petitioner are still pending.

Though the learned Assistant Government Pleader would contend that proper procedure has not been followed by the petitioner, it is for the Deputy Collector and Tahsildar, Serilingampally Mandal, Cyberabad, Ranga Reddy District, to pass appropriate orders on the implead applications filed by the petitioner in the pending Petition Nos.1871 and 1872 of 2015 on their own merits and in accordance with law. If the Tahsildar is of the opinion that the implead applications are liable to be dismissed, he shall record reasons for arriving at such conclusion and pass an order to that effect. It is not open to him to keep such applications pending indefinitely.

The writ petition is accordingly disposed of directing the Deputy Collector and Tahsildar, Serilingampally Mandal, Ranga Reddy District, to consider the petitioner's implead applications in Petition Nos.1871 and

1872 of 2015 on their own merits and in accordance with law and pass appropriate reasoned orders thereon expeditiously and in any event, not later than four weeks from the date of receipt of a copy of this order.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

Date:15.02.2019

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