

THE HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.37415 OF 2018

ORDER

The prayer of the petitioners 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 order direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the 3rd Respondent Commissioner of Appeals, Office of the CCLA Telangana in not disposing the Case Pending before him in P5/1293/1994 as illegal, arbitrary and contrary to the provisions of law and consequently be pleased to direct him to peruse the plea of the Petitioners made for correction and issuance of Supplementary Sethwar in accordance with the provisions and record and eventually dispose the P5/1293/1994 and pass such order or other orders as deemed fit and proper in the circumstances of the case.’

It appears that the petitioners earlier filed W.P.No.25122 of 2000 before this Court aggrieved by the inaction on the part of the authorities in disposing of their application dated 23.07.1994 for correction of Survey Settlement errors in relation to the land in Survey Nos.185/2 and 200/1 of Keesara Village, Keesara Mandal, Ranga Reddy District. This application was filed under Section 87 of the Andhra Pradesh (Telangana Area) Land Revenue Act, 1317F (*for brevity*, ‘the Act of 1317F’). The writ petition was disposed of on 26.02.2002, recording the statement made by the authorities that necessary corrections would be made in accordance with the provisions contained in Section 87 of the Act of 1317F after receiving necessary orders from the Chief Commissioner of Land Administration. However, the matter is still kept pending till now.

Sri V.Durga Nageswara Rao, learned counsel for the petitioners, would point out that the application filed by the petitioners was taken up in File No.P5/1293/1994 but no steps are being taken in spite of the assurance given to the High Court as long back as on 26.02.2002.

Earlier, when this matter was taken up for hearing, the learned Assistant Government Pleader for Revenue informed this Court that the file was misplaced and the authorities were trying to locate the same. Today, the learned Assistant Government Pleader would inform this Court that the same situation continues.

It is not open to the revenue authorities to resort to such lame excuses for keeping the matter pending since 1994. All the more so, when an assurance was given to the High Court in W.P.No.25122 of 2000 which led to its disposal *vide* order dated 26.02.2002.

The writ petition is accordingly disposed of directing the respondents to take necessary action to reconstitute the case, if warranted, and pass appropriate orders thereon in accordance with law expeditiously and in any event, not later than 12 weeks from the date of receipt of a copy of this order, be it from whatever source.

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

SANJAY KUMAR, J

19th MARCH, 2019

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