

HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.47393 of 2018

ORDER:

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

“For the reasons stated in the accompanying affidavit, 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 action of respondent No.2 in not finalizing enquiry in pursuance of the final notice vide Rc.No.E/09/2018 dated 14.3.2018 for mutation of the petitioners’ names in the revenue record, as illegal, arbitrary and violative of principles of natural justice and consequently, direct respondent No.2 to finalize the enquiry by following due procedure as per ROR Act and to pass such order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the case.”

Perusal of the final notice dated 14.3.2018 issued by the Revenue Divisional Officer, Asifabad, demonstrates that the General Power of Attorney Holders of the petitioners, viz, Md. Shafi Ahmed and Mohammed Arif, were required to be present on 07.4.2018 and the Tahsildar, Wankid Mandal, was requested to send a detailed report along with copies of the Kasara pahani by deputing the Village Revenue Officer/Mandal Revenue Inspector concerned.

The grievance of the petitioners is that no steps have been taken by the Revenue Divisional officer, Asifabad, to conclude the enquiry even as on date.

As it is not open to the Revenue Divisional Officer, Asifabad, Komarambheem District, respondent No.2 herein, to keep the enquiry pending indefinitely, the Writ Petition is disposed of directing respondent No.2 to conclude the enquiry expeditiously and in any event, not later than three months from the date of receipt of a

copy of this order. It is also made clear that the Revenue Divisional Officer, Asifabad, shall be mindful of his jurisdiction in the matter and shall not endeavour to substitute himself for the civil Court in deciding any land disputes.

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

02nd January, 2019
DR

JUSTICE SANJAY KUMAR

