

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

WRIT PETITION No.2167 of 2020

ORDER :

This writ petition is filed aggrieved by action of respondent No.3 in not implementing the order of Joint Collector, Mahaboobnagar, dated 05-10-2019 in Case No.D1/3/2019 in File No.D1/0003/2009.

It is the case of the petitioners that petitioner No.1 and his sister by name V.Pushpamma were granted Occupancy Rights Certificate (O.R.C) to an extent of to an extent of Ac.04-04 guntas in Sy.No.12 of Janampet Village, Moosapet Mandal in File No.K/3612/98 on 04-08-199 and they were issued pattdear passbooks and title deeds in respect of said land. After death of said Pushpamma, her son sold his land to petitioner No.2 who is the son of petitioner No.1. When some third parties got entered their names in revenue records in respect of subject land, the petitioners filed representation before respondent No.2 and aggrieved by order of respondent No.2 in file No.B/ROR/3665/2017, dated 15-09-2018 based on which the Tahsildar, Moosapet mutated the land to an extent of Ac.2-02 guntas in favour of others, the petitioners filed revision petition before respondent No.4 challenging the aforesaid order. The respondent No.4 allowed the revision and thereby advised them to file claim form 6-A along with

copy of O.R.C in respect of the subject land before the Tahsildar, Moosapet and on receipt of such application, the Tahsildar, Moosapet to take steps for mutating the names of the petitioners. Though the petitioners filed claim before respondent No.3 in Form 6-A along with copy of O.R.C in respect of subject land on 13-11-2019 and also submitted Form 6-A in Meeseva online. Thereafter, the petitioners submitted several representations to respondent No.3 for implementation of the order of the Joint Collector, Mahaboobnagar, dated 05-10-2019. But no action has been taken by him. Hence the present writ petition is filed.

Learned Assistant Government Pleader for Revenue produced written instructions stating that the appeal filed against the orders of Revenue Divisional Officer, Mahabubnagar dated 20-08-1999 in File No.K/3612/1998 granting O.R.C to the petitioners to an extent of Ac.04-04 guntas in Sy.No.12 of Janampet Village, Moosapet Mandal is pending before the Joint Collector, Mahabubnagar in Appeal Case No.F2/20891/2019. As such, the order in question will be implemented after disposal of the appeal.

It is stated that the appeal is pending against the orders granting O.R.C. to the petitioners, the order in question will be implemented after disposal of appeal in Case No.F2/20891/2019. But it is not stated in the written instructions produced by learned Assistant Government Pleader that any stay is operating against the order in

question. If no stay is operating, the respondents are bound to implement the same.

In view of the same, the writ petition is disposed of directing the 3rd respondent to implement the order Joint Collector, Mahaboobnagar, dated 05-10-2019 in Case No.D1/3/2019 in File No.D1/0003/2009, if no stay is operating against the same. No order as to costs.

As a sequel, miscellaneous applications pending, if any, shall stand closed.

11-02-2020
Nvl

A. RAJASHEKER REDDY, J



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ARBITRATION APPLICATION No.97 of 2019



31.12.2019
(Msr)