

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No. 3031 of 2020

ORDER:

This writ petition is filed challenging the action of the respondents in not passing any order basing on the general notice vide file No.B/603/2017, dtd 14.09.2017 for issuance of Occupany Right Certifcte for the land in Survey No.631A and 631/B, to an extent of Ac.1.03 guntas, situated at Tandur Village and Mandal, Mancherial district for the last 2 ½ years.

The case of the petitioners is that originally, one Sangarsh Kishan Rao, who is the brother of the petitioners' father is inamdar and basing on the family partition the father of the petitioners was in possession of the subject land from 1954 onwards and the name of the petitioners' father was recorded as 'pattedar' and he was also got issued pattadar pass books and title deeds vide khata No.2118; and that he died in the year 2004 and thereafter the petitioners are made several applications for issuance of 'virasath' for the subject lands. As no action has been taken on the applications, petitioners filed WP.No.8393 of 2013 before this Court and the same was disposed of on 20.03.2013 permitting the petitioners to file application under Form 6 A within two weeks and thereafter directed the Tahasildar, Tandur, to consider the same in accordance with law. Thereafter, the petitioners filed application in prescribed form on which the Tahasildar passed an order dated 16.04.2013 stating that the petitioners has to approach Sub-Collector to file a petition in Form I for grant of ORC as per the provisions of A.P

(Telangana Area) Abolition of Inams Act, 1955. In pursuance of the same, the petitioners filed Form-I for grant of ORC before the Sub-Collector, Asifabad, but there is no response. Thereafter the petitioner approached District Collector who in turn directed the Sub-Collector, Asifabad to consider for grant of ORC as per the ratio laid down in 2005(5) ALD page 156. But, due to bifurcation of districts and divisions, the Tandur Mandal comes under the jurisdiction of Bellampally Division, that the entire file pertaining to the petitioners for grant of ORC was transferred to respondent No.2-Sub-Collector, Bellampally. Thereafter, the 2nd respondent issued general notice dated 14.09.2017, for conducting enquiry and calling the objections if any for grant of ORC with regard to Survey No.631/A and 631/B to an extent Ac.1.03 guntas under Section 8 of A.P.(Telangana Area) Abolition of Inams Act, 1955. Even though, no objections were received and even after 2 ½ years, the respondents have not passed any orders on the application of the petitioners for grant of ORC.

Heard learned counsel for the petitioners and learned Assistant Government Pleader for Revenue.

Since the grievance is already pending before the 2nd respondent and general notice is already issued, it is for the 2nd respondent to consider the same and take action on the same, in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No order as to costs.

As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY, J

13.02.2020

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