

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.5589 of 2020

ORDER:

This writ petition is disposed of at the stage of admission with the consent of the learned counsel for the respective parties.

This writ petition is filed seeking the following relief :-

“.....to issue a Writ, Order or Direction more particularly in the nature of Writ of Mandamus, declaring the action of the 5th respondent in implementing the order of the 4th respondent vide Appeal No.D/2701/2013 dated 16.12.2019 despite the revision under Section 9 of the Telangana State Rights in Land and Pattadar Passbooks Act 1971 is pending before the 3rd respondent i.e the Joint Collector Yadadri Bhongir District is bad arbitrary and contrary to the provisions of the Telangana State Rights in Land and Pattadar Passbooks Act 1971 as amended and also offends Arts 14, 21 and 300A of the Constitution of India”.

Heard learned counsel appearing for the petitioner and the learned Government Pleader for Revenue appearing for the respondents.

It has been contended by the petitioner that he is in possession and enjoyment of the land admeasuring Ac.5-30 guntas in Sy.No.266/A situated at Raigir Village for the last 50 years and the respondents have also mutated his name in the revenue records. While so, the 6th respondent, who is claiming to have purchased some extent of land from his father, filed an appeal before the 4th respondent against the action of the 5th respondent in mutating the name of the petitioner in the revenue records and the 4th respondent has allowed the appeal preferred by the 6th respondent on 16.12.2019. Aggrieved thereby, the petitioner has preferred a revision under Section 9 of the Telangana State Rights in Land and Pattadar Pass Books Act, 1971 before the 3rd respondent on 25.01.2020.

The grievance of the petitioner is that though he preferred a revision before the 3rd respondent on 25.01.2020, so far, the 3rd respondent has not passed any orders in the said revision. In the interregnum, respondents 4 and 5 are taking steps to mutate the name of the 6th respondent in the revenue records.

Learned counsel appearing for the petitioner submits that appropriate orders be passed in the writ petition directing the 3rd respondent to consider and dispose of the revision preferred by the petitioner within a reasonable period of time. Till such time, respondents 4 and 5 may be directed not to mutate the name of the 6th respondent in the revenue records.

Learned Government Pleader appearing for the respondents contends that the petitioner has preferred a revision before the 3rd respondent only on 25.01.2020 and therefore, the 3rd respondent would consider the same and pass appropriate orders in accordance with law within a reasonable period of time.

This Court, having considered the rival submissions made by the learned counsel for the respective parties, is of the considered view that this writ petition can be disposed of directing the 3rd respondent to consider and dispose of the revision preferred by the petitioner within a period of six months from the date of receipt of a copy of this order. Till then, respondents 4 and 5 shall not mutate the name of the 6th respondent in the revenue records.

With the above observations, this writ petition is disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVIL, J

Date: 12-03-2020
Prv

