

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

TUESDAY THIS THE TWENTY FOURTH DAY OF FEBRUARY
TWO THOUSAND AND FIFTEEN

PRESENT

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.4176 of 2015

Between:

Dhamerla Peda Samuel and 2 others

..... PETITIONERS

And

State of Telangana,
Rep.by its Principal Secretary,
Tribal Welfare,
Secretariat,
Hyderabad and 4 others

.....RESPONDENTS

The Court made the following:

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.4176 of 2015

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ORDER:

There is a specific contention of the petitioners that by filing a collusive suit in case No.204/2011/JLP, orders dated 10.02.2012 were obtained from the Court of the Special Deputy Collector (T.W), Bhadrachalam. The petitioners being aggrieved by the said orders had filed appeal before the Additional Agent to Government

(P.O.ITDA), Bhadrachalam. The said appeal has been filed with a delay petition, as the petitioners came to be aware of the orders only on 27.01.2015. The grievance of the petitioners is that by utilizing the said order dated 10.02.2012, now the 5th respondent is trying to interfere with the possession and enjoyment of the property of an extent of Ac.9.31 gts in Sy.Nos.24/A and 24/AA of Padamati Narsapuram village, Julurpadu Mandal of Khammam District.

Heard the learned counsel for the petitioners and the learned Government Pleader appearing for the Social Welfare Department.

In as much as the appeal has been filed by the petitioner and the said appeal is said to have been pending consideration before the 2nd respondent, interests of justice would be served by issuing a direction to the 2nd respondent directing to take up the appeal and pass orders on the stay application as well as on the main appeal.

Accordingly, the Writ Petition is disposed of, with a direction to the 2nd respondent to take up the appeal filed by the petitioner and pass appropriate orders on the stay application as well as on the main appeal, within a period of 6 (six) weeks from today. Till such time the 2nd respondent passes an order, *status quo* as appearing today with regard to possession shall be maintained. There shall be no order as to costs.

Pending miscellaneous applications, if any, shall stand closed in consequence.

CHALLA KODANDA RAM,J

Date: 24.02.2015
Dsr

Note:

Office to communicate this order
to the 2nd respondent forthwith

B/o
Dsr