

THE HON'BLE SRI JUSTICE A.V. SESA SAI

-
WRIT PETITION No.17570 of 2015
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ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus or any other appropriate direction declaring the action of the 1st respondent in not disposing the Revision Petition dated 20.02.2015 including stay petition filed by the petitioner against the order dated 24.01.2015 passed in CMA No.45 of 2011 on the file of the Additional Agent to Government, Bhadrachalam, Khammam District as illegal, arbitrary and unreasonable.

Heard Sri P.Vishnuvardhan Reddy, learned counsel for the petitioner, learned Government Pleader for Social Welfare (Telangana), and learned Government Pleader for Revenue.

The Special Deputy Collector (TW), Bhadrachalam, Khammam District-third respondent herein vide orders dated 17.09.2008 in LTR Case No.164/2008/PNK rejected the request of the fifth respondent herein for ejection of the petitioner herein. As against the said order passed by the third respondent, the fifth respondent preferred CMA No.45/2011 before the Additional Agent to Government, who is the second respondent herein. The second respondent allowed the said appeal, ordering the eviction of the petitioner and for restoration of the same to the fifth respondent. As against the said order passed by the second respondent, the petitioner herein filed statutory revision on 16.02.2015 before the first respondent, and along with the said Revision the petitioner herein also filed a stay application.

The grievance of the petitioner in the present writ petition is that despite the expiry of sufficient time, no order has been passed on the said revision filed by the petitioner herein.

The learned counsel for the petitioner submits that in view of

the said inaction on the part of the first respondent herein in passing any order on the revision, the respondent authorities are actually contemplating to evict the petitioner herein from the schedule lands. It is also brought to the notice of this Court that while allowing the appeal filed by the fifth respondent vide orders in CMA No.45/2011 the second respondent directed the Tahsildar to have a complaint registered against the petitioner herein.

Taking into consideration the totality of the circumstances and having regard to the nature of controversy involved, this Court is of the considered opinion that the interest of justice would be met if a direction is given to the first respondent herein, to pass appropriate orders on the revision filed by the petitioner herein on 16.02.2015 by fixing some timeframe.

For the aforesaid reasons, this Writ Petition is disposed of, directing the first respondent to pass appropriate orders, on the revision dated 16.02.2015 filed by the petitioner herein against the orders of the second respondent in CMA No.45/2011 dated 24.01.2015 in respect of the lands admeasuring Ac.3.27 guntas in Survey No.528 situated at Uppaka Village of Pinapaka Mandal, Khammam District, within a period of three (3) months from the date of receipt of a copy of this order. Till the aforesaid exercise attains finality, the interim order of *status quo* granted by this Court on 18.06.2015 shall continue. There shall be no order as to costs.

Miscellaneous petitions pending, if any, in this writ petition shall stand closed.

JUSTICE A.V. SESA SAI

August 31, 2015

MVA

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.17570 of 2015

Date: 31.08.2015

MVA