

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

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WRIT PETITION No. 3252 of 2015
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ORDER:-

Questioning the delay in disposing of the Revision Petition filed before the 2nd respondent-Chief Commissioner of Land Administration, Andhra Pradesh, this writ petition is filed.

2. The petitioner's case, precisely, is that he was assigned an agricultural land admeasuring Ac.2-80 cents in Mallinayakanahalli village, Madakasira mandal, Anantapuram district, in the year 2000; and when the 6th respondent interfered with his peaceful possession, he filed a civil suit against the 6th respondent in O.S.No.99 of 2004 on the file of the Junior Civil Judge, Madakasira, Anantapuram District. During pendency of the suit, the 6th respondent filed an Appeal before the 4th respondent-Revenue Divisional Officer, challenging the assignment. The 4th respondent by order dated 17.09.2011 cancelled the assignment of the petitioner on the ground that the petitioner/assignee never entered the land since the date of assignment. Challenging the cancellation order of the 4th respondent, the petitioner filed a Revision Petition before the 3rd respondent-Joint Collector. The 3rd respondent, initially granted status quo pending disposal of the Revision before him, but finally by order dated 04.06.2014, confirmed the orders of the 4th respondent and directed the 5th respondent to assign the subject land to other eligible landless poor. Aggrieved thereby, the petitioner filed a Revision Petition before the 2nd respondent-Chief Commissioner of Land Administration; and along with it, he filed a Stay Petition seeking stay of the orders of the 3rd respondent-Joint Collector. The grievance of the petitioner is that the 2nd respondent hasn't yet disposed of either his Stay Petition or the

Revision.

Heard learned counsel for the petitioner, learned Assistant Government Pleader and perused the record.

Learned counsel for the petitioner submits that the petitioner has not violated any terms of assignment and that he is in possession of the land in question and cultivating it. He further submits that the petitioner preferred a Revision Petition before the 2nd respondent-Chief Commissioner of Land Administration, Andhra Pradesh, along with an application to stay the orders of the 3rd respondent-Joint Collector, but till date neither of the applications were disposed of by the 2nd respondent.

Considering the fact that by orders dated 24.01.2012, the 3rd respondent-Joint Collector had granted stay of operation of the order of the 4th respondent-Revenue Divisional Officer, pending Revision before him, and considering the fact the Revision filed before the 2nd respondent-Chief Commissioner of Land Administration is pending adjudication, this Court deems it appropriate to direct the 2nd respondent to dispose of the Revision within a period of eight weeks from the date of receipt of a copy of this order. Till such time, there shall be stay of all further proceedings of the order dated 04.06.2014 of the 3rd respondent-Joint Collector, and the parties shall not create any third party interest or change the entries in the revenue records with regard to the property which is the subject matter in the Revision before the 2nd respondent.

With the above directions, the writ petition is disposed of. No order as to costs. Miscellaneous Petitions, if any pending in this writ petition, shall stand closed.

CHALLA KODANDA RAM, J

16th February, 2015

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