

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

W.P.No. 3000 of 2015

DATE: 12.02.2015

Between:

Maddipatla Venkatamma

.. Petitioner

And

1. The State of A.P.
 2. The Chief Commissioner of Land Administration
 3. The Joint Collector
 4. The Sub-Collector / RDO
 5. The Tahsildar
- Respondents

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ORDER:-

The petitioner asserts that in the year 1977, her husband was assigned an extent of Ac.5.00 cents of land in Sy.No.18/1 situated in Basinikonda village, Madanapalle Mandal and after making the land fit for cultivation, he raised mango garden therein. After his demise, the petitioner has been in possession and enjoyment of the same by cultivating it. While so, it is stated that the 5th respondent-Tahsildar issued a notice to the petitioner proposing to resume the land for the purpose of establishing an Industrial Park for the general public. The petitioner submitted her explanation not to resume the land, however, being not satisfied with her explanation, the

5th respondent cancelled the DKT patta granted in favour of her husband and resumed the land to the Government vide proceedings dated 26.06.2012. Being aggrieved by the same, the petitioner preferred an appeal before the 4th respondent-Sub-Collector, who, by order dated 12.08.2013, dismissed the appeal. Against the order of the Sub-Collector, the petitioner preferred a revision petition under Section 4(B) of the A.P. Assigned Lands (Prohibition and Transfers) Act, 1977 before the 3rd respondent-Joint Collector along with an application seeking stay of operation of the orders of the 4th

respondent. Pending orders in the revision petition, the 3rd respondent, by orders dated 26.12.2013, rejected the stay application. The petitioner filed W.P.No. 1706 of 2014 against the order of the Joint Collector and sought a direction to the respondents not to dispossess her from the land in question pending disposal of the revision petition, and this Court, by order dated 31.01.2014, while disposing of the writ petition, directed the respondents to maintain *Status Quo* existing as on that day for a period of four weeks and further directed the 3rd respondent to hear and dispose of the revision petition at the earliest. In pursuance of the orders of this Court, the 3rd respondent, by order dated 12.06.2014, dismissed the revision petition on merits. Challenging the order of the 3rd respondent, the petitioner, on 16.07.2014, preferred second revision before the

2nd respondent-Chief Commissioner of Land Acquisition along with an application seeking stay of operation of the order of the 3rd respondent. Now, the petitioner's grievance is that the

2nd respondent has not even chosen to dispose of the stay application so far and respondent Nos.3 to 5, on the ground that the *status quo* granted by this Court for a limited period, has expired long ago, are taking steps to dispossess her from the land in question. Hence, the present writ petition is filed seeking appropriate directions.

Heard the learned counsel for both the parties and perused the material placed on record.

Considering the fact that this Court already protected the

rights of the petitioner over her land by granting *Status Quo* for a limited period during the pendency of the proceedings before the 3rd respondent and in view of the fact that respondent Nos.3 to 5, under the guise that no orders on the application for stay have been passed by the 2nd respondent so far, are trying to dispossess the petitioner from her land and these facts are not controverted by the respondents by way of filing any counter, this Court deems it appropriate to dispose of the writ petition with the following directions:

“Both the parties are directed to maintain *Status Quo* existing as on today in all respects including possession, construction, alienation, creation of third party rights, changing the nature of the land in question, etc. till the 2nd respondent – Chief Commissioner of Land Administration passes final orders either on the application for stay or in the revision petition said to have been filed by the petitioner on 16.07.2014, in accordance with law.”

With the above direction, the writ petition is disposed of.

No order as to costs.

As a sequel to the disposal of the writ petition, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

CHALLA KODANDA RAM,

J

12.02.2015

bcj