

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION NO.11741 of 2015

-

Between:

1. Ganji Babu Rao and another

PETITIONERS

AND

1. The State of Telangana, rep. by its Principal Secretary, Social Welfare & Tribal Welfare Department, Secretariat, Hyderabad, and others.

RESPONDENTS

ORDER:

The petitioners are brothers. Their case is that they are owners and possessors of an extent of Ac.3.17 of land in Sy.No.17/A situated at Chatakonda Village, Kothagudem Mandal, Khammam District, by virtue of succession. The 4th respondent initiated proceedings in L.T.R. Case No.470/1998/KGM dated 10.06.2005 holding that the transfer is hit by the regulations 1/59 and 1/70 and directed the 5th respondent to take possession of the land. Aggrieved by the same, the petitioners preferred C.M.A.No.322/2007 before the 3rd respondent along with

stay petition. The said appeal was dismissed on 28.09.2013. Aggrieved by the same, the petitioners preferred revision dated 23.03.2015 along with stay petition before the 2nd respondent. The main grievance of the petitioners is that though the revision is pending before the 2nd respondent, the 3rd respondent is trying to evict the petitioners from the land in question under the guise of the dismissal of appeal as there were no orders either in the stay application or in the revision. Hence the petitioner filed the present writ petition seeking a direction to the respondents to dispose of the revision.

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Social Welfare for respondents.

When the matter came up for admission on 22.04.2015, considering the nature of allegations, this Court directed the learned Assistant Government Pleader for Social Welfare to get instructions. The learned Assistant Government Pleader on instructions submits that the revision filed by the petitioners would be disposed of within a period of three months from today.

Recording the said submission, the writ petition is disposed of directing the 2nd respondent to dispose of either the stay petition or the main revision itself filed by the petitioners on 23.03.2015, in accordance with law, within a period of three months from today. However, considering the fact that the record discloses prima facie possession of the petitioners' right from 1960's, there shall be stay of dispossession of the petitioners pending disposal of the revision by the 2nd respondent. No costs. As a sequel, miscellaneous petitions, if any, shall stand closed.

CHALLA KODANDA RAM, J.

24th April, 2015

Js.