

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.11543 of 2005

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Revenue.

The petitioner filed a petition under Section 11(a) of the Estate Abolition Act, before the Settlement Officer, Nellore, requesting for grant of ryotwari patta in respect of Acs.7.54 cents of land in Annasamypally Village, Renigunta Mandal, Chittoor District. The said petition was allowed on 22.09.1986. Against the order of the Settlement Officer, the 3rd respondent filed a revision before the Special Commissioner and Director of Settlements, Hyderabad, who dismissed the revision by order, dated 26.09.1998. The 3rd respondent again preferred another revision before the Chief Commissioner of Land Administration, A.P. Hyderabad. The Chief Commissioner remanded the matter to the Joint Collector/Settlement Officer for *de novo* enquiry and disposal as per law and the matter was pending before him. When there was interference by the 3rd respondent, the present writ petition was filed.

It is submitted by the learned counsel for the petitioner that the Joint Collector/Settlement Officer, Chittoor, after remand, dismissed the petition of the petitioner on 23.11.2009. Against the said order, the petitioner preferred an appeal before the Director of Settlements, where the matter is pending as on today.

No counter is filed by the respondents, even after lapse of 9 years.

In view of the pendency of the appeal before the Director of Settlements, learned counsel for the petitioner submits that the 3rd

respondent cannot evict the petitioner from the land in question.

Evidently, the enquiry with regard to the right of the petitioner over the land is pending before the Director of Settlements, Hyderabad, and till the matter attains finality, the petitioner shall not be evicted from the land in question.

The writ petition is allowed to the extent indicated above.
The miscellaneous petitions pending, if any, shall stand closed.
There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

16.02.2015

GJ