

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA

PRADESH
(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF JULY
TWO THOUSAND AND FIFTEEN

PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.22059 of 2015

BETWEEN

N.Sowbhagyavathi and another

... PETITIONERS

AND

The State of Andhra Pradesh, Rep. by its Principal Secretary (Department of Revenue), A.P. Secretariat Building, Hyderabad and others.

...RESPONDENTS

The Court made the following:

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ORDER:-

Heard.

2. Petitioners claim that the lands in survey No.346 admeasuring Ac.0.01½ cent each in plot Nos. 138 and 139 of Nakkabanda Revenue Village, Punganur Mandal, Chittoor District, were granted to them as house site pattas by the then Tahsildar in the year 2010. However, it appears that as per the directions of the Lokayukta, respondent No.3 took up enquiry against the petitioners and issued notices calling upon them to submit explanation. After considering the same, respondent No.3 passed an

order dated 06.06.2015 cancelling the house site pattas claimed by the petitioners. Aggrieved by the same, petitioners preferred appeal along with an application for interim stay

viz., B1-1559 & B1-1560 of 2015, which is stated to be pending before respondent No.2 since 08.07.2015. Present writ petition is filed complaining that respondent No.3 is trying to dispossess the petitioners in implementation of his order dated 06.06.2015 notwithstanding the pendency of the appeal and the stay petition.

3. Since petitioners' appeal along with the stay petition is pending before respondent No.2, it is appropriate to direct respondent No.2 to fix a date for hearing in the said appeal and take up and decide the interim application filed by the petitioners therein at the earliest preferably within two weeks from the date of receipt of a copy of this order. Order of respondent No.3 dated 06.06.2015, which is questioned in the said appeal before respondent No.2, shall remain stayed for a period of four weeks or till respondent No.2 passes appropriate orders on the interim application of the petitioners as directed above.

With the above direction, writ petition is disposed of. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

July 16, 2015
LMV

VILAS V. AFZULPURKAR, J