

HONOURABLE SRI JUSTICE A. V.SESHA SAI

WRIT PETITION No. 32887 OF 2015

DATED 7th OCTOBER, 2015

BETWEEN

Ravuri Venkata Subbarao (died) per LRs

...Petitioners

And

The State of Telangana, rep. by its Prl.Secretary,
Social Welfare Department, Secretariat, Hyderabad and ors.

...Respondents.

HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No. 32887 OF 2015

ORDER:

This Writ Petition under Article 226 of the Constitution of India is filed for the following relief:

“.....to issue an appropriate writ, order or direction more particularly one in the nature of writ of mandamus not to dispossess the petitioners from the land in Sy.No.25 extent of Ac.4.20 guntas and Sy.No.268/3 an extent of Ac.4.00 guntas situated in Gundepudi village, Julurpad Mandal, Khammam District pending disposal of the revision filed before the Government of Telangana, Hyderabad on 29.09.2015 against the order in I.A.No.27, 28 of 2003 dated 30.04.2005 passed by the Additional Agent to Government & Project Officer, ITDA, Bhadrachalam and to pass other order or orders in the interest of justice.”

Heard Sri R.R.Kalyan, learned Counsel appearing for the petitioners and learned Government Pleaders for Revenue and Social Welfare appearing for the respondents. Perused the material available on record.

On the report submitted by the Special Deputy Tahsildar (Tribal Welfare), Paloncha on 16.02.1994, the Special Deputy Collector (Tribal Welfare), Paloncha, ordered ejectment of one Ravuri Venkata Subbarao from the land admeasuring Ac.4.00 guntas situated in Sy.No.25 of Gundepudi village, Julurupad Mandal, Khammam District. As against the said order of ejectment, the said Ravuri Venkata Subba Rao preferred an appeal before the Additional Agent to Government, Khammam, third respondent herein. In the said appeal, the appellant therein also filed I.A.No.93 of 2002 seeking condonation of delay and I.A.No. 94 of 2002 seeking grant of interim stay of all further proceedings pursuant to the order of the Special Deputy Collector (Tribal Welfare). The third respondent, Additional Agent to Government, Khammam, passed an order on 30.04.2005 dismissing the appeal filed by said Kavuri Venkata Subba Rao. The said Kavuri Venkata Subba Rao, according to the learned Counsel for the petitioner, died on 11.08.2003. Thereafter, the wife and son of said Kavuri Venkata Subba Rao who are arrayed as petitioners herein, filed revision on 29.09.2015 before the second respondent, State Government, questioning the order dated 30.04.2005 passed by the third respondent. Along with the said revision, the petitioners also filed stay application. The grievance in the present Writ Petition is that though the petitioners filed revision as long back as on

29.09.2015 and also stay application, no orders have been passed on the same. It is further submitted by the learned Counsel for the petitioners that in view of the absence of any order either on the revision or stay application, the fifth respondent, Tahsildar is taking steps to dispossess the petitioners from the scheduled property.

Taking into consideration the facts and circumstances of the case and nature of controversy, this Court is of the opinion that ends of justice would be met by directing the second respondent herein to consider and pass appropriate orders on the revision preferred by the petitioners herein on 29.09.2015 by fixing some time frame.

For the aforesaid reasons, the Writ Petition is disposed of directing the second respondent to consider and pass appropriate orders on the revision dated 29.09.2015 filed by the petitioners against the order dated 30.04.2005 passed by the Additional Agent to Government, Khammam, third respondent herein, as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of this order. Till such exercise attained finality, status quo existing as on today with regard to the subject property shall be maintained.

Miscellaneous petitions pending consideration if any in the Writ Petition shall stand closed in consequence. No order as to costs.

JUSTICE A. V. SESA SAI

DATED 7TH October, 2015.

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