

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION NO.4916 OF 2015

ORDER:

The Writ Petition is filed by the petitioner with a limited grievance that she has filed a stay petition along with the appeal before the 2nd respondent-Joint Collector, Anantapur, on 25.02.2015, with a prayer to set aside the order dated 22.01.2015 in D.Dis.No.268/2011/B, passed by the 3rd respondent-Revenue Divisional Officer, Dharmavaram Division. But the 2nd respondent did not choose to pass any orders either in the stay petition or in the appeal filed by the petitioner. Hence the Writ Petition.

The right of appeal being a statutory right under the A.P. Assignment Lands (Prohibition of Transfers) Act, 1977, and the petitioner's right cannot be put in jeopardy and make the appeal provision itself nugatory. In that view of the matter, there is an obligation cast on the 2nd respondent to pass appropriate orders on the stay petition filed by the petitioner pending disposal of the main appeal dated 25.02.2015.

Having regard to the facts and circumstances of the case, the Writ Petition is disposed of directing the 2nd respondent to dispose of the appeal of the petitioner within a period of three months from today without fail. Till such time, the petitioner shall not be dispossessed from the land in her possession. There shall be no order as to costs.

Miscellaneous petitions, if any pending in this Writ Petition shall stand closed.

Dated:02.03.2015.
Ssv

CHALLA KODANDA RAM, J