

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.29381 OF 2016

ORDER:

This Writ Petition is filed by the petitioner by invoking Article 226 of the Constitution of India seeking to declare the inaction of respondent No.1 in disposing of the Statutory Appeal in R.C.No.G/2983/2011 dated 02.09.2011 filed by the petitioner as illegal and arbitrary.

Heard Sri B.Sudhakar Reddy, learned counsel for the petitioner, the learned Asst. Government Pleader for Revenue (TG) for respondents 1 to 4 and Sri P.Laxma Reddy, learned counsel appearing for respondents 5 to 7. With their consent, the Writ Petition is disposed of at the stage of admission itself.

Though various grounds are raised in the writ petition, the learned counsel for the petitioner restricts his prayer stating that though the appeal was filed in the year 2011, the same is not yet disposed of and as such a direction may be given for disposal of the appeal within a fixed period of time. Learned AGP as well as learned counsel for respondents 5 to 7 expressed no-objection for disposal of the appeal, but however, they seek a direction to the appellate authority to consider pendency of suits between the parties while adjudicating the appeal.

Having regard to the rival submissions made, the Writ Petition is disposed of directing the first respondent-Revenue Divisional Officer to dispose of the statutory appeal filed by the petitioner in R.C.No.G/2983/2011 dated 02.09.2011, by taking

into consideration the pendency of partition suit and also injunction suit pending between the parties, in accordance with law and after hearing the petitioner and the aggrieved persons, if any, including respondents 5 to 7 as early as possible, preferably within a period of eight weeks from the date of receipt of a copy of this order.

Miscellaneous petitions pending in this writ petition, if any, shall stand closed. There shall be no order as to costs.

C. PRAVEEN KUMAR, J

Date: 20.10.2016

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