

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

–
WRIT PETITION No.22856 OF 2016

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Social Welfare for respondents 1 to 3. With consent of the counsel appearing for both sides, the present writ petition is disposed of at the admission stage.

2. The present Writ Petition is filed with the following prayer:

“to a writ, order, direction more particularly one in the nature of “Writ of Mandamus” declaring the action of the 1st respondent in not considering the petition of the petitioner herein seeking stay of dispossession from the land admeasuring Ac.1-30 gts situated at Rangapuram Village, Paloncha Mandal, Khammam District pursuant to order dated 15.12.2007 made in LTR Case No.376/2004/PVC of the 2nd respondent, filed on 13.06.2016 in Civil Miscellaneous Appeal under Section 3(3)(a)II of the A.P. Scheduled Areas Land Transfer Regulation 1 of 1959 read with Regulation 1 of 1970 as being illegal arbitrary, unconstitutional and contrary to law and consequently direct the 1st respondent to consider the stay petition and CMA filed by the petitioner herein.”

3. A perusal of the material on record would show that pursuant to an order dated 04.03.2016 passed by this Court in W.P.No.2101 of 2008, the petitioner is said to have preferred an appeal challenging the impugned order therein dated 15.12.2007 before the 1st respondent – Agent to the Government (District Collector) at Khammam, on 02.06.2016. The endorsement made by the Inward Section of the Collector's Office, Khammam on the docket of the said appeal indicates that the said appeal was received on 13.06.2016 in a closed cover. Along with the statutory

appeal, the petitioner also claims to have filed an application seeking stay of his dispossession from the scheduled land. It is the case of the petitioner that though the appeal and the application for stay are filed in June, 2016, till date no orders are passed either on the appeal or on the application for stay.

4. Learned Government Pleader for Social Welfare submits that if the appeal filed by the petitioner meets all the requirements, the same will be dealt with in accordance with law.

5. Having regard to the circumstances stated above and since the appeal is filed in the month of June, 2016, the 1st respondent is directed to pass orders either on the stay application or on the appeal within a period of four (04) weeks from the date of receipt of a copy of this order. Till such time, status quo as on today shall be maintained with regard to possession in respect of the property in dispute.

6. Accordingly, the Writ Petition is disposed of. Consequently, Miscellaneous Petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

JUSTICE C. PRAVEEN KUMAR

Date:13.07.2016
INL