

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.34327 OF 2016

ORDER:

The present Writ Petition, under Article, 226 of the Constitution of India, is filed by the petitioner with the following prayer:

“to issue writ, order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the 2nd respondent in not passing stay/suspension order on interlocutory application filed along with Appeal dated 27.07.2016 under Section 4-A(1) of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977 against the Order dated 26.05.2016 in Rc.No.1010/2015 passed by the 3rd respondent and further action of the 3rd respondent in insisting the petitioner to vacate from his land admeasuring Ac.0.31 cents in Sy.No.29 situated in Appannapalem Village, H/o. Cheemalapalli Village, Atchutapuram Mandal, Visakhapatnam District, as illegal, irregular, irrational and amounts to non-discharge of legal obligation conferred on the 2nd respondent under the provisions of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977 and offends Article 14 of the Constitution of India and consequently, direct the 2nd respondent to decide the petitioner's pending appeal and stay petition therein, in accordance with law, by suspending operation of said order of the 3rd respondent.”

2. Though various grounds are raised in the writ petition, learned counsel for the petitioner restricts his prayer seeking a direction to the appropriate authority to dispose of either the appeal or the stay application made along with the appeal, as early as

possible, since coercive steps are sought to be taken basing on the original order.

3. Learned Government Pleader for Revenue submits that if the appeal preferred by the petitioner is still pending, concerned authority may be directed to dispose of the same at the earliest.

4. Having regard to the above submissions made and without going into the merits of the case, the Writ Petition is disposed of directing the 2nd respondent, the Revenue Divisional Officer, Anakapalli Division, Visakhapatnam District, to dispose of either the appeal preferred by the petitioner, or the stay application filed along with the appeal, if the same are still pending, in accordance with law, as early as possible, preferably within a period of six (06) weeks from the date of receipt of a copy of this order, after hearing all the persons aggrieved including the petitioner herein.

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: 17.10.2016
INL