

THE HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

WRIT PETITION No.21254 OF 2016

ORDER:

This Writ Petition is filed challenging the order, dated 18.06.2016, passed by respondent No.4 dismissing the stay petition filed by the petitioner.

The case of the petitioner is that she was granted patta in respect of the land admeasuring Ac.0-40 cents in Survey No.24/9 of Appenepalli Village, Chowdepalli Mandal, in the year 1994 and her name was mutated in the revenue records. As some persons have encroached upon the subject land, she filed a complaint. On the said complaint, respondent No.2 – Joint Collector passed order, dated 09.05.2016, cancelling the patta granted to her in respect of the subject land. Aggrieved by the same, she preferred an appeal on 03.06.2016 before respondent No.4. As there was threat of dispossession, she filed W.P.No.17905 of 2016, which was disposed of permitting her to file stay petition in the appeal and till then, *status quo* was granted. Pursuant to the same, she filed stay petition before respondent No.4 and the same was dismissed by impugned order, dated 18.06.2016. Hence, the present Writ Petition.

Heard learned counsel for the petitioner and learned Government Pleader for Revenue.

Learned Government Pleader for Revenue submits that in the affidavit filed in support of the Writ Petition, it is stated that the petitioner is not in possession of the subject land and even according to the impugned order, the subject land is in possession of third parties.

Now, it is to be seen that statutory appeal is pending before respondent No.4 and these aspects have to be gone into by respondent No.4 in the appeal. In view of the same, this Court is not inclined to go into merits of the case. Hence, respondent No.4 is directed to dispose of the appeal filed by the petitioner within a period of three months from the date of receipt of a copy of this order, after giving notice to the petitioner and affected parties. Till then, *status quo* obtaining as on today shall be maintained. If the petitioner does not co-operate for disposal of the appeal, it is for respondent No.4 to decide the appeal on merits in accordance with law.

With the above direction, the Writ Petition is disposed of. Miscellaneous Petitions, if any, pending in this Writ Petition, shall stand closed. No costs.

REDDY, J
June 30, 2016
MD

A. RAJASHEKER

