

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No. 39545 of 2016

ORDER:

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

2. With the consent of both the parties, the Writ Petition is disposed of at the admission stage.

3. The present Writ Petition came to be filed seeking issuance of writ of Mandamus declaring the action of respondent Nos.4 and 5 in trying to dispossess the petitioners from the land in R.S.No.71/2 admeasuring Acs.2.21 ½ cents situated at Venkatapuram Village and Mandal, Khammam District, despite the petitioners appeal along with stay application is pending for consideration before the second respondent, as illegal and arbitrary.

4. It is the case of the petitioners that the respondent Nos.4 and 5 are trying to dispossess the petitioners from the land in dispute while the appeal and stay application filed by them under Section 9(3) of A.P.Scheduled Areas Ryothwari Settlement Regulation 2/1970 read with Rule of A.P.S.A.R.S. Rules, 1971, against order dated 25.12.1975 in case No.6204/75 on the file of the settlement officer, Rajuhmundry, are pending. It is stated that the said act of respondents is causing irreparable loss and great hardship to the petitioners and hence the present writ petition.

5. Though various grounds are raised, learned counsel for the petitioners submits that the respondent-authorities may be directed to dispose of the appeal, at the earliest. Learned Government Pleader does not dispute the same.

6. Having regard to the above, the respondent-authorities shall dispose of the said appeal in accordance with law, as early as possible, preferably within a period of six weeks from the date of receipt of a copy of this order. Till such time, the respondent-authorities shall not dispossess the petitioners from the land in dispute, if the petitioners are in possession of the property, without following due process of law.

7. With the above direction, the writ petition is disposed of.

8. Miscellaneous petitions, pending if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE C.PRAVEEN KUMAR

22.12.2016,
vhh