

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.39094 OF 2016

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is preferred by the petitioner seeking the following relief:

“ ... to issue an appropriate Writ, Order or direction more particularly one in the nature of ‘Writ of Mandamus’ declaring the action of the 1st respondent, in not granting interim relief, pending disposal of the revision, preferred against the orders dt.10.10.2016 in D.Dis.E1/1230/2016 of the 2nd respondent, as illegal, unjust, arbitrary, malafide, void, and contrary to law and further declaring the proceedings dt.10.10.2016 in D. Dis. E1/1230/2016 of the 2nd respondent, Joint Collector, Nellore, rejecting the appeal, confirming the orders of the Revenue Divisional Officer, Nellore, 3rd respondent, and the Tahsildar, Nellore, 4th respondent, dated 01.02.2016 in D.Dis.(J)1870/2015, dated 16.04.2015 in Rc.B.4851/2010, as illegal, unjust, arbitrary, violative of principles of natural justice, malafide, void, and contrary to law, violative of the provisions of Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act and the amended Act No.21 of 2008 and accordingly set aside the same and to pass such other and further orders that may be deemed fit and proper in the circumstances of the case.”

Heard the learned counsel for the petitioner as well as the learned Assistant Government Pleader for Revenue for respondents. With their consent, the writ petition is disposed of at the stage of admission itself. There is no necessity to put respondent No.5 on notice since this Court is not venturing to adjudicate the case on merits.

The limited grievance of the petitioner is that though he preferred a revision before the 1st respondent on 04.11.2016 till

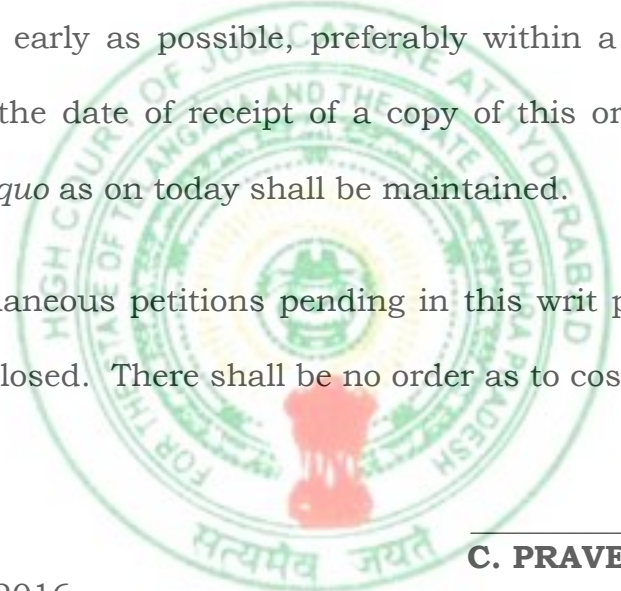
date no orders are passed even in the stay application and the respondents are trying to evict him from the subject land.

Learned AGP would submit that since the revision filed by the petitioner is pending, the 1st respondent may be directed to dispose of the stay application at the earliest.

Having regard to the rival submissions made, the Writ Petition is disposed of directing the 1st respondent to pass appropriate orders in the stay application filed by the petitioner along with revision preferred by him on 04.11.2016, in accordance with law, as early as possible, preferably within a period of four weeks from the date of receipt of a copy of this order. Till such time, *status quo* as on today shall be maintained.

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

Date: 14.11.2016
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A large, faint, circular watermark seal of the High Court of Judicature at Hyderabad, Andhra Pradesh, is centered on the page. The seal features the text 'HIGH COURT OF JUDICATURE AT HYDRABAD' and 'ANDHRA PRADESH' around the perimeter, with 'FOR THE STATE OF TELANGANA AND THE NORTHERN CIRCULAR RANGELANDS' in the center. Below the seal, the text 'सत्यमेव जयते' is visible.
C. PRAVEEN KUMAR, J