

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.4057 of 2016

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ORDER:

Perusal of the orders passed by the primary authority and the appellate authority reflects that the petitioners are in possession. The appellate authority, in fact, directed the Mandal Revenue Officer, Julurupadu, to eject the appellant, the husband and father respectively of the petitioners herein, from the scheduled land and to assign it to the landless poor Scheduled Tribes as per assignment rules.

By the impugned memo dated 16.01.2016, the revisionary authority, the Government of Telangana, refused to grant stay while entertaining the revision petition.

Once the order passed by the appellate authority is given effect to, the revision would be rendered infructuous as it would become purely academic in nature. In the event the revisionary authority intended to go into the merits of the matter, it would have been more appropriate that the revision itself be taken up for hearing. Without doing so, the revisionary authority cannot render the matter infructuous by rejecting the stay petition which would practically have a final effect. The memo dated

16.01.2016 is accordingly set aside and the respondent authorities are directed not to give effect to the orders which are the subject matter of the revision pending before the Government of Telangana till the disposal of the revision.

The Writ Petition is disposed of with the above direction.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

SANJAY

KUMAR, J

9th FEBRUARY, 2016.

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