

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.37419 OF 2016

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for respondents 1 to 5. With consent of the counsel appearing for both sides, the present writ petition is disposed of at the admission stage.

2. Since this Court is not going into the merits of the case, it may not be necessary to put respondents 6 and 7 on notice.

3. The present writ petition came to be filed with the following prayer:

“to issue a writ, order or direction, more particularly one in the nature of Writ of Mandamus or any other Writ, declaring the action of the 5th respondent in reversing the entry in respect of land admeasuring Ac.1.33 cents in Sy.No.850 of Idupuru village, Markapur Mandal, Prakasam District without giving any notice to the petitioner as illegal, arbitrary and unconstitutional.”

4. A perusal of the material on record would show that against the Order dated 07.06.2016 passed in D.Dis.A/187/2016 by the 4th respondent-Revenue Divisional Officer, Markapur, the petitioner preferred a revision before the 2nd respondent – District Collector, Prakasam District at Ongole, in the month of June, 2015 itself. Along with the said revision, the petitioner also filed an application

seeking stay, but till date no orders are said to have been passed on the stay application.

5. Learned counsel for the petitioner submits that the petitioner would sustain irreparable loss if the entries are reversed in the revenue records as per the order passed by the 4th respondent and hence seeks a direction to dispose of the revision preferred by the petitioner.

6. Learned Government Pleader for Revenue submits that a direction may be given to the 3rd respondent - Joint Collector to dispose of the revision at the earliest.

7. Taking into consideration the fact that the revision is filed in the month of June, 2016, and having regard to the rival submissions made, the Writ Petition is disposed of directing the 3rd respondent - Joint Collector, to dispose of the revision preferred by the petitioner against the order dated 07.06.2016 passed by the 4th respondent, as early as possible, preferably within a period of four (04) months from the date of receipt of a copy of this order. However, the 3rd respondent shall hear the interim application filed by the petitioner seeking suspension of the order passed by the 4th respondent within a period of six (06) weeks from the date of receipt of a copy of this order. Till such time, R.5 shall not reverse the entries made in respect of the land admeasuring Ac.1.33 cents in Sy.No.850 of Idupuru Village, Markapur Mandal, Prakasam District. In case the

entries are already reversed, the 5th respondent shall not issue pass books or title deeds for a period of eight (08) weeks.

8. Accordingly, the Writ Petition is disposed of. 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:02.11.2016
INL

