

**HON'BLE SRI JUSTICE C. PRAVEEN KUMAR**

**WRIT PETITION No.42762 OF 2016**

**ORDER:**

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking to declare the inaction of the respondents in disposing of the ROR Appeal No.C/12/2016, as illegal and arbitrary.

Heard the learned counsel for the petitioner as well as the learned Assistant Government Pleader for Revenue for respondent Nos.1 to 5. With their consent, the writ petition is disposed of at the stage of admission itself. There is no necessity to put respondent No.6 on notice since this Court is not venturing to adjudicate the case on merits.

Though various grounds are raised in the writ petition, learned counsel for the petitioner restricts his prayer seeking a direction to the 4<sup>th</sup> respondent, who is In-charge of the Nuzivid Division, to pass appropriate orders in the interlocutory application filed by the petitioner along with the appeal.

Learned AGP would submit that the very appeal itself is not maintainable in view of the ratio laid down by this Court in ***Ratnamma v. The Revenue Divisional Officer, Dharmavaram, Ananthapur District and others***<sup>1</sup>.

Since the Appeal filed by the petitioner is pending before the appropriate authority, it may not be proper for this Court to go into the aspect of maintainability of the appeal. Hence, the

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<sup>1</sup> 2015 (6) ALD 609

4<sup>th</sup> respondent is directed to dispose of the interlocutory application filed by the petitioner seeking suspension of pattadar pass books and title deeds granted in respect of the subject property, in accordance with law, after hearing the petitioner and other aggrieved persons, if any including the 6<sup>th</sup> respondent herein, within a period of ten days from the date of receipt of a copy of this order.

Accordingly, the Writ Petition is disposed of. No order as to costs. Miscellaneous petitions pending in this writ petition, if any, shall stand closed.

Date: 08.12.2016

Note : Issue C.C. by tomorrow.

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**C. PRAVEEN KUMAR, J**

