

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 25598 OF 2016

ORDER:

Heard.

2. Aggrieved by the order dated 16.01.2014 passed by the Revenue Divisional Officer, earlier petitioner has approached this court by filing W.P.No.3723 of 2014 and thereafter the same was withdrawn seeking liberty to file appeal before the Joint Collector on 11.04.2014. Immediately thereafter he filed appeal but however as the papers were not traced, petitioner made a fresh appeal, which is numbered as E5/1885/16, before the Joint Collector, Warrangal. Along with the said appeal, petitioner has also filed stay petition. Alleging inaction on the part of the second respondent in considering the appeal or the stay application filed by the petitioner, the present writ petition is filed.

3. Learned counsel for the petitioner submits that the Advocate at Warangal has wrongly mentioned that the petitioner has filed appeal under Section 9 of the ROR Act.

4. As a matter of fact, it is an appeal filed under Section 4 of the Telangana Assigned Lands (Prohibition of Transfers) Act, 1977 and the rules made thereunder, which is termed as a Revision, petitioner has also filed an application seeking stay. The appeal and the stay petition filed by the petitioner are pending and as on date, no orders were passed and at the instance of the fifth respondent, the revenue officials are threatening to dispossess the petitioner. As the petitioner is in possession and enjoyment, as revealed from the registered pahani submitted before this court,

interest of justice would be served if a direction is issued to the second respondent to pass orders either in the appeal or at least in the stay petition in accordance with law as expeditiously as possible. Till passing of orders by the second respondent either in the stay application or in the main appeal filed by the petitioner, petitioner's possession shall not be disturbed.

With the above direction, the Writ Petition is disposed of. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

JUSTICE CHALLA KODANDA RAM

August 10, 2016
LMV