

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 34979 of 2016

ORDER:

- 1) Heard learned counsel for the petitioner and Government Pleader for Revenue. With the consent of both the parties, the writ petition is heard at the admission stage itself.
- 2) There is no necessity to put the unofficial respondent on notice as this Court is not venturing to adjudicate the issue on merits.
- 3) The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of respondent No.3 in not passing orders on the stay application filed along with the revision petition No.F2/ 9721/ 2015 against an order in Case No.D2/ 4976/ 2013 dated 01.07.2015 passed by respondent No.4 and to declare order No.D2/ 4976/ 2013 dated 01.07.2015 as illegal, arbitrary and without jurisdiction; and consequently direct respondent No.3 to dispose of the revision by suspending the operation of the order dated 01.07.2015.
- 4) Though various grounds are raised, learned counsel for the petitioner mainly pleaded that the revision which was preferred before respondent No.3 may be disposed of at an early date.
- 5) It is to be noted that the revision is filed in the month of October, 2015 along with the stay application but till date no orders are passed in the stay application. Nearly one year after filing the revision, the present writ petition came to be filed

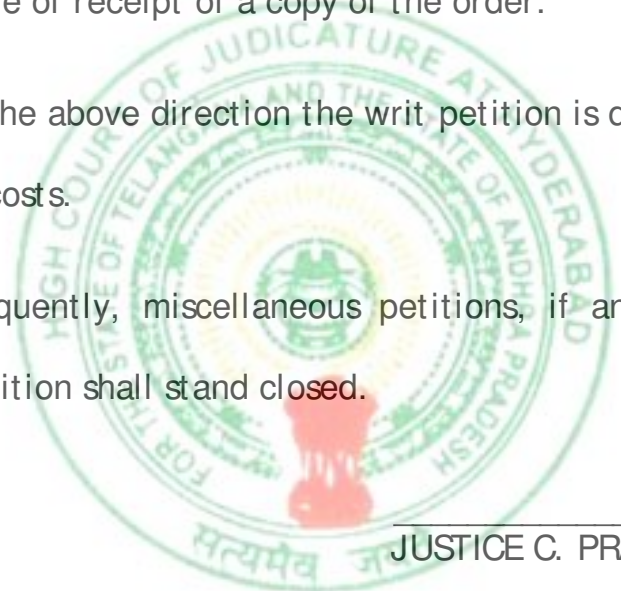
seeking a direction. In view of the above, this Court is not inclined to grant *status quo* as pleaded by the learned counsel for the petitioner.

6) Having regard to the facts and circumstances of the case, respondent No.3 is directed to dispose of the revision filed by the petitioner within a period of three (03) weeks from the date of receipt of a copy of the order, if for any reason respondent No.3 is not in a position to dispose of the same, necessary orders shall be passed in the stay application within a period of two (02) weeks from the date of receipt of a copy of the order.

7) With the above direction the writ petition is disposed of. No order as to costs.

8) Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

18.10.2016
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JUSTICE C. PRAVEEN KUMAR