

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.32523 OF 2016

ORDER

The case of the petitioner is that the subject land is Government Poramboke land and she has been in possession and enjoyment of the said land by carrying out agricultural operations for the past more than twenty years and that she has made representations to the respondent authorities for grant of patta. While so, the 4th respondent – Tahsildar issued Form-II notice under Rule 3 of A. P. Assigned Land (Prohibition of Transfers) Rules, 2007 alleging that the subject land is assigned land and she has purchased the said land from the assignee Pappala Appalanaidu and hence the same is in violation of rules and Act 9 of 77. Petitioner filed reply dated 10.2.2012 denying the said allegation. Without considering the reply, the 4th respondent passed order dated 20.02.2012 for eviction of the petitioner. The petitioner remained unsuccessful before the 1st and 2nd appellate authorities, who are Revenue Divisional Officer and the District Collector. The petitioner preferred revision before the 1st respondent – Government on 29.8.2016. The grievance of the petitioner is that though she filed revision, the 1st respondent is neither hearing the matter, nor granting any interim stay and the 4th respondent – Tahsildar is taking steps for eviction. Hence the writ petition.

The learned counsel for the petitioner while reiterating the above facts submitted that pending the proceedings before the lower authorities and till date, the petitioner is in possession and though she sought stay of eviction pending the revision, the 1st respondent is not taking up the matter for hearing and granting stay.

On the other hand, the learned Assistant Government Pleader for Revenue submitted that the 1st respondent may be directed to dispose of the appeal.

Having regard to the facts and circumstances and the submissions of the learned counsel, without expressing any opinion on merits, the writ petition is disposed of at the stage of admission directing the 1st respondent – State of Andhra Pradesh, represented by its Principal Secretary, Revenue Department, to dispose of the revision filed by the writ petitioner on 29.8.2016 against the order of the Joint Collector – Cum – District Magistrate, Krishna at Machilipatnam in Rc.E3.911/2013 dated 25.5.2016, in accordance with law, within a period of two months from the date of receipt of this order.

Till the disposal of the revision, the petitioner shall not be dispossessed from the subject land in the writ petition.

No order as to costs.

Miscellaneous petitions pending if any, shall stand closed.

AVS

27—09—2016

Note:
Issue C.C. in two days.
B/O