

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No. 19563 of 2016

ORDER :

Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Social Welfare for the State of Telangana representing the respondents 1 to 3 and 5. At their request, the Writ Petition is being taken up for disposal at the admission stage. Since this Court is not adjudicating the case on merits, it may not be necessary to hear respondent No.4.

2. Grievance of the petitioner is that the respondents are interfering with his peaceful possession and enjoyment over the land admeasuring Ac.1.21 guntas in survey No.366/3 situated in Challasamudram Village, Yellandu Mandal, Khammam District though statutory appeal preferred by him before respondent No.3 on 01.11.2012 against the order dated 28.05.2011 passed by respondent No.2 in LTR Case No.83/07/YLD, is pending.

3. It is to be noted that respondent No.2 passed an order dated 28.05.2011 in LTR Case No.83/07/YLD ordering eviction of the petitioner from the aforesaid land. Against which, the petitioner preferred a statutory

appeal before respondent No.3 on 01.11.2012, which is still pending consideration. It is said that during the pendency of the statutory appeal, respondents are trying to interfere with possession of the petitioner over the said land.

4. Learned Assistant Government Pleader for Social Welfare submits that the allegations made are incorrect, but, however, a direction may be given to respondent No.3-appellate authority to pass appropriate orders in the appeal, if the appeal is still pending consideration.

5. Without going into merits of the case, respondent No.3 is directed to dispose of the appeal filed by the petitioner against an order dated 28.05.2011 in LTR Case No.83/07/YLD passed by respondent No.2, if the same is still pending and is otherwise in order, as early as possible preferably within a period of six weeks from the date of receipt of a copy of this order. Till such time, *status quo* obtaining as on today shall be maintained with regard to the possession of the property in question.

6. The Writ Petition is disposed of with the aforesaid direction. Miscellaneous petitions pending, if any, in the Writ Petition shall stand closed in the light of this final order. No order as to costs.

C.PRAVEEN KUMAR, J

20.06.2016
DRK

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