

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No.11615 of 2017

Order:

Heard learned counsel for the petitioner and learned Government Pleaders for respondents 1 to 4. In view of disposal of the matter in the following terms, the notice to respondents 5 to 9 is dispensed with.

The case of the petitioner is that he is the absolute owner and possessor of land admeasuring Ac.6-04 gts., in Survey No.4/3, situated at Nandigam village, Talamadugu Mandal, Adilabad district. It is the further case of the petitioner that the respondents 5 to 9 fraudulently got their names entered in the revenue records and though he submitted a representation on 08.06.2015 requesting the third respondent to conduct an enquiry for deleting the names of the respondents 5 to 9, no action was taken. However, his case was considered as a case for injunction against the respondents and an order was passed on 20.05.2016 taking the land possessed by the petitioner in favour of Government custody for eventual assignment in favour of the Scheduled Tribes or Scheduled Tribe Registered Society. Challenging the said order, the petitioner filed the present Writ Petition stating that in stead of deciding his rights the third respondent passed the impugned order contrary to law and holding that the land possessed by him is a Government land. The petitioner further submits that the copy of the order was not served on him and now he is pressurized to part with the land within three days.

Since the third respondent has taken up the proceedings as a suit for injunction against the unofficial respondents, the third respondent should have confined his enquiry with regard to that aspect. However, since there is a provision of appeal, this Court is not inclined to entertain

the present Writ Petition, but gives liberty to the petitioner to file an appeal to the competent authority within a period of thirty (30) days from the date of receipt of a copy of this order. In the meanwhile, *status quo* prevailing as on today shall be maintained. If the petitioner does not file appeal within the aforesaid time, it is open to the official respondents to take appropriate action in accordance with law.

The Writ Petition is, accordingly, disposed of. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 03.04.2017  
Nsr

