

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.31240 OF 2015

ORDER :

It is the case of the petitioner that 5th respondent has assigned land to an extent of Ac.0.38 cents in Sy.No.1780/1 and Ac.1.70 cents in Sy.No.1780/2 of Bommaiahgaripalli village, Rompicherla Mandal, Chittoor District, by granting DKT patta in A.M. No.1343-4-48, dated 30.06.1959 in favour of the father of the petitioner by name P.Khader Khan. The name of the father of the petitioner was mutated in revenue records and that since the date of grant, his father was in peaceful possession of the subject property. The father of the petitioner expired in the year 1995. After demise of his father, there was a family partition between the petitioner and three brothers and the subject land fell to the share of the petitioner. After the demise of his father, the petitioner was in peaceful possession of the subject land. The 6th respondent influenced the 5th respondent and obtained assignment of the subject land in her name on 03.01.2007 vide AM No.41/4/1416 over the land which was assigned in favour of the father of the petitioner. That the 5th respondent had not followed the procedure contemplated under Act 9 of 1977. Aggrieved by the same, petitioner filed appeal before the 4th respondent vide D.Dis(B1)/1456/2008, which was dismissed by the 4th respondent on 18.01.2014. Aggrieved by the same, the petitioner filed revision before the 3rd respondent vide Roc.E-4 No.839/2014. As no orders are passed by the 3rd respondent, present writ petition is filed.

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Revenue.

Learned counsel for the petitioner submits that as per the report of the M.R.O dated 17.03.2008, the petitioner is in possession of the subject land.

In view of the same, without expressing any opinion on the merits of the case, the 3rd respondent is directed to dispose of the revision filed by the petitioner against the order passed by the 4th respondent dated 18.01.2014, within a period of eight weeks from the date of receipt of a copy of the order, after giving notice to the petitioner as well as 6th respondent. Till then, there shall be *status quo* obtaining as on today, with regard to possession over the subject land, shall be maintained.

With the above direction, this writ petition is disposed of. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, shall stand closed.

13.02.2017
kvs

A.RAJASHEKER REDDY, J

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Date: 13.02.2017

