

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.17579 OF 2017

ORDER:

Heard the learned counsel for the petitioner and learned Government Pleader for Social Welfare appearing for the respondents. With their consent, the Writ Petition is disposed of at the admission stage itself.

2. The present writ petition, under Article 226 of the Constitution of India, came to be filed seeking issuance of writ of *mandamus* declaring the action of the 2nd respondent in not passing appropriate orders either on the stay petition or on the appeal itself filed on 15.05.2017 filed against the eviction order of the 3rd respondent dated 17.11.2016 in LTR Case No.24/2016/JLP as illegal, arbitrary and violative of principles of natural justice and consequently direct the 2nd respondent to consider and dispose of the stay petition or the appeal itself within a reasonable time and further direct the respondents 2 to 4 or other subordinate staff not to dispossess the petitioner from the land in Sy.Nos.1440 and 1441 to an extent of land Ac.2.28 Gts., and Ac.1.12 Gts., respectively totally Ac.4.00 Gts., situated at Papakollu Village, Julurpahad Mandal of Bhadradi-Kothagudem District pending disposal of the appeal on the file of the 2nd respondent.

3. It is represented by the learned counsel for the petitioner that the issue involved in the writ petition is squarely covered by an

Order of this Court, dated 07.06.2016, rendered in W.P.No.17570 of 2016 and Batch. The same is not disputed by the learned Government Pleader.

4. In that view of the matter, following the said order, this Writ Petition is disposed of directing the appellate authority i.e., Additional Agent to Government (Project Officer), ITDA, Bhadrachalam, Khammam District (respondent No.2), to dispose of the appeal filed by the petitioner, against the order dated, 17.11.2016 in LTR Case No.24/2016/JLP, if the same is still pending, as early as possible, preferably within a period of eight (08) weeks from the date of receipt of a copy of this order. However, till such time, respondents shall not take any steps for dispossession of the petitioner from the subject property.

Consequently, Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

JUSTICE C. PRAVEEN KUMAR

Date:05.06.2017

Note:

Registry is directed to attach copy of the order, dated 07.06.2016 in W.P.No.17570 of 2016 & Batch to this order.

(B/o)
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