

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.5848 of 2009

ORDER:

This Writ Petition is filed by the petitioner under Article 226 of the Constitution of India seeking to declare the action of the respondents in dispossessing the petitioner from her lands to an extent of Ac. 1.67 cents in Survey No.16/3 of Gondolu Village, Addateegala Mandal, East Godavari District, in pursuance of the order passed by the 1st respondent in C.M.A.No.124 of 2005, dated 01.12.2008, as illegal, arbitrary and unjust and consequently direct the respondents not to dispossess the petitioner from the above mentioned land, pending disposal of the revision filed before the 5th respondent.

2. Heard and perused the material available on record.

3. The case of the petitioner is that the petitioner's father-in-law has purchased the land to an extent of Ac. 1.67 cents, situated in Survey No.16/3 of Gondulu Village, Addateegala Mandal, East Godavari District, under an Agreement of Sale in the year 1967, which was subsequently registered on 17.06.1971 and that the above said land was inherited by the husband of the petitioner and after the demise of her husband, the petitioner is in possession of the said land and cultivating the same. While so, the 4th respondent filed LTRP No.81 of 2003 before the 2nd respondent under the provisions of the A.P. Scheduled Areas Land Transfer Regulations, wherein the 2nd respondent, after enquiry, has dismissed the LTRP No.81 of 2003, *vide* order, dated 15.07.2004.

Aggrieved by the same, the 4th respondent filed an appeal before the 1st respondent in C.M.A.No.124 of 2005, wherein the 1st respondent, without considering the legal and factual aspects, has set aside the order of the 2nd respondent and ordered ejectment from the above said land *vide* order, dated 01.12.2008. Aggrieved by the same, the petitioner filed revision before the 5th respondent on 13.03.2009 along with the stay application, but so far, the 5th respondent has not passed any orders on the stay application nor on the revision petition.

4. On 20.03.2009, while admitting the writ petition, this Court granted interim stay of all further proceedings in pursuance of the order passed by the 1st respondent in C.M.A.No.124 of 2005, dated 01.12.2008, including dispossession from the subject lands of the petitioner *vide* order, dated 20.03.2009, passed in W.P.M.P.No.7637 of 2009.

5. Admittedly, the petitioner has already filed a statutory revision before the 5th respondent on 13.03.2009. Hence, this Court is of the view that the writ petition can be disposed of with the following direction:

The authority concerned is directed to dispose of the revision said to have been filed by the petitioner on 13.03.2009, as expeditiously as possible, in accordance with law and till the disposal of the revision, *status quo* shall be maintained with regard to the subject land.

6. With the above direction, the Writ Petition is, accordingly, disposed of. No costs. Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO, J

Date: 31st August, 2017

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