

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

W.P.No.17417 OF 2005

ORDER:

Heard.

The present writ petition came to be filed seeking issuance of Writ of Mandamus declaring the action of the 3rd respondent in allotting the petitioner's assigned lands admeasuring Ac.11.25 guntas and 07.25 guntas in Survey Nos.314/5/2 and 314/2 respectively situated in Kuchenvilli Village, Dahegoan Mandal, Adilabad District to third parties in spite of the order of status quo passed by the 1st respondent on 19.08.2000, as illegal and arbitrary and consequently to direct the 3rd respondent not to dispossess the petitioner from the said lands.

Though various grounds raised in the affidavit filed in support of the writ petition, learned counsel for the petitioner would submit that the appeal filed by petitioner, before the 1st respondent-Chief Commissioner of Land Revenue, is still pending and that even though the 1st respondent granted status quo on 19.08.2000 in favour of the petitioner in respect of the subject land, the 3rd respondent is trying to dispossess the petitioner and allot the same to third parties.

A counter came to be filed by the 3rd respondent-MRO stating that since the appeal filed by the petitioner before the 1st respondent is still pending, assignment will not be made to any body till final orders are passed by the 1st respondent.

In view of the averments made in the counter affidavit filed by the 3rd respondent-MRO, the apprehension of the petitioner that the 3rd respondent-MRO is likely to assign the land to the third parties, cannot be accepted, more so, having regard to the order of status quo passed by the 1st respondent.

Therefore, while confirming the order of status quo granted by the 1st respondent with regard to the property in dispute, the 1st respondent is directed to dispose of the appeal filed by the petitioner within three

months from the date of receipt of a copy of this order, if not already disposed of.

With the above direction, the writ petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions pending in this writ petition, if any, shall stand closed. No costs.

JUSTICE C. PRAVEEN KUMAR

17.08.2017
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