

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.7173 OF 2009

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:-

“to issue a writ or direction preferably writ of Mandamus declaring the action of the 1st respondent in not passing appropriate orders either on the stay petition or on the appeal itself filed on 4-3-2009 against the order of 2nd respondent dt.18-9-2008 in LTR. Case No.84/2008/JLP as illegal, arbitrary and violative of principles of natural justice and consequently direct the 1st respondent to consider and dispose of the stay petition or the appeal itself within a reasonable time and further direct the respondents or their subordinate staff not to dispossess the petitioner from possession and enjoyment of the property in Sy.No.358/1 measuring an extent of Acs.0-30 gts (part of Ac.1-00) situated at Padamatanarsapuram Village, Julurpad Mandal of Khammam District, pending disposal of the appeal on the file of the 1st respondent.”

2. After arguing for sometime, learned counsel for the petitioner requested the Court to direct respondent No.1 herein to dispose of the appeal filed by the petitioner on 04.03.2009 against the order, dated 18.09.2008, in LTR.Case No.84/2008/JLP at an early date and till disposal of the said appeal, direct the respondents not to dispossess the petitioner from the subject property.

3. Considering the facts and circumstances of the case and the grievance of the petitioner, without going into the merits of the case, respondent No.1 is hereby directed to dispose of the appeal preferred by the petitioner against the order, dated 18.09.2008, in

LTR.Case No.84/2008/JLP as expeditiously as possible. Till disposal of the said appeal, the respondents are directed not to take any coercive steps against the petitioner over the subject property.

4. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

5. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

Date: 28.8.2017
AMD

JUSTICE RAJA ELANGO



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