

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 27729 OF 2017

ORDER:

Petitioners, who claim to be the landless poor, are stated to be in possession and enjoyment of the land in an extent of Acs.3.00 in Survey No. 213 of Vutukuru Village, Kamepalli Mandal, Khammam District. It is their case that the 5th respondent has set up a false claim over the land belonging to the petitioners. While so, the preliminary authority i.e. the Agency Divisional Officer, Kothagudem had passed the order dated 20.02.2016 directing the Tahsildar, Kamepalli to restore the schedule land to the 5th respondent herein or to his legal heirs and if restoration is not possible, then take the land into government custody and assign the same to landless poor tribals. Against the said order, the petitioners herein preferred C.M.A. No.35 of 2016 before the Additional Agent to Government, Bhadrachalam which was also dismissed. Both the preliminary authority as well as the appellate authority recorded the finding that the 5th respondent was granted patta as far back as in 1975 and the petitioners are interfering with his possession and enjoyment over the land. However, the petitioners filed Revision on 22.07.2017 before the 1st respondent government along with a stay Application. Complaining that the same have not been attended to so far, this Writ Petition is filed.

Since the Revision filed by the petitioners is pending, without going into the merits of the matter, this Writ Petition is disposed of directing the 1st respondent to pass appropriate orders either in the stay Application or in the main Revision itself within four

weeks from the date of receipt of a copy of this order. Pending disposal of the Revision or the stay Application, which ever is earlier, there shall be stay of dispossession of the petitioners from the subject land. No costs.

Consequently, the miscellaneous Applications, if any shall stand closed.

CHALLA KODANDA RAM, J

21st August 2017

ksld

