

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.32509 of 2017

ORDER:

Petitioner claims to have been in possession and enjoyment of the land in an extent of Ac.1-56 cents in Survey No.22 and Ac.0-45 cents in Sy.No.36 of Veerabhadrapuram Village, Addateegala Mandal, East Godavari District, which was given by her parents as Pasupu Kunkuma. While so, the 3rd respondent-Special Deputy Collector (Tribal Welfare) passed order on 30.12.1993, directing eviction of the petitioner and restoration of the land in favour of the Government. Aggrieved thereby, the petitioner filed CMA No. 3/1994, which was held against her and then she carried the matter in Revision before the Government and the same was remanded to the primary Authority vide G.O.Ms.No.107, dated 27.11.2000, but the primary Authority tried the matter and passed orders on 28.10.2006. Aggrieved by the same, again, she preferred CMA Nos. 131/2008 and 132/2008 before the 2nd respondent-Additional Agent to Government, who has disallowed the same by order dated 01.08.2017. Thereafter, she filed revision before the 1st respondent-Government on 14.09.2017 along with an application to stay the order of the 2nd respondent and the same is pending. The complaint of the petitioner is that while the revision filed by her is pending before the 1st respondent, respondents 3 to 5 are making hectic steps to evict her from the subject land. Hence, the Writ Petition.

Since the Revision filed by the petitioner before the 1st respondent is pending, without going into the merits of the matter, this Writ Petition is disposed of directing the 1st respondent to dispose of the Revision itself filed by the petitioner within a period of eight weeks from the date of receipt of a copy of this Order. Till such time, the order dated 01.08.2017 passed by the 2nd respondent-Additional Agent to the Government, Rampachodavaram, in CMA Nos. 131/2008 and 132/2008, stands stayed. However, it is made clear that if the petitioner does not participate in the enquiry and does not cooperate in the hearing of the Revision, the 1st respondent may pass orders *ex parte* based on the material available on record. No costs.

Consequently, Miscellaneous Petitions pending, if any, shall stand closed.

CHALLA KODANDA RAM, J

Date: 22.09.2017

Note: Issue CC forthwith.

B/o
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