

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION Nos.35064 AND 35196 OF 2017

Dated:24.10.2017

W.P.No.35064 of 2017

Between :

Koruprolu Swami Naidu,
S/o. late Challayya, Hindu,
Aged about 68 years, Cultivation,
R/o. Cheedigummala Village,
Golugonda Mandal, Visakhapatnam
District

.. Petitioner

And

The State of Andhra Pradesh,
Rep., by its Principal Secretary,
Revenue Department, Secretariat
Buildings, Velagapudi, Amaravathi,
Guntur District, A.P. and others

.. Respondents



This court made the following :

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COMMON ORDER :

Heard.

2. When the matters are taken up for hearing, learned counsel for the petitioners as well as learned Assistant Government Pleader for Assignment state that similar issue was considered by this Court in W.P.No.30578 of 2017 on 12.09.2017 and the same was disposed of as under :

“As the appellate authority has already received stay application along with appeal, it shall consider the stay application and pass appropriate orders on the claim of the petitioner for grant of stay of the orders passed by the Tahsildar and till stay application is considered and appropriate orders are passed in due compliance of the statutory requirements, petitioner shall not be dispossessed from the subject land. It is open to the petitioner to work out his remedies as available under law, if no favourable orders are passed by the Revenue Divisional Officer on his stay application. There shall be no order as to costs.”

3. Learned counsel for the petitioners submits that appeals were preferred by the petitioners before the Revenue Divisional Officer, Narsipatnam, and also sought for stay of the order of Tahsildar, Golugonda.

4. If that is so, these Writ Petitions are also disposed of with the following order:

As the appellate authority has already received stay applications along with appeals, it shall consider the stay applications and pass appropriate orders on the claim of the petitioners for grant of stay of the orders passed by the Tahsildar and till stay applications are considered and appropriate orders are

passed in due compliance of the statutory requirements, petitioners shall not be dispossessed from the subject land. It is open to the petitioners to work out their remedies as available under law, if no favourable orders are passed by the Revenue Divisional Officer on their stay applications. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in these Writ Petitions shall stand closed.

P.NAVEEN RAO, J

Date:24.10.2017

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