

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.34409 of 2017

Between:

Yarlagadda Veerabhadara Rao S/o. Venkatanarayana Rao,
Aged 72 years, Occ: Cultivation, R/o.#1-7-, Gopuwanipalem
Village, Pamidimukkala Mhadal, Krishna District.

... Petitioner

And

State of Andhra Pradesh,
Rep. by its Principal Secretary to Government,
Revenue Department, Secretariat, Velagapudi,
Amaravathi, Guntur District & Others.

... Respondents

The Court made the following:



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ORDER:

The petitioner claims to be the owner, possessor and enjoyer of the property bearing D.No.1-70, covered by Sy.No.58/ 2 of Gopuvanipalem Revenue Village in Pamidimukkala Mandal of Krishna District. The petitioner is aggrieved by the order, dated 07.07.2017 of the Revenue Divisional Officer, issued in exercise of powers under the Land Enforcement Act, 1905.

2. Earlier, petitioner filed W.P. No.22833 of 2017 challenging the said decision. This Court having noticed that a remedy of revision is available to the petitioner under Section 12-A of the Act, granted liberty to the petitioner to file revision within four (4) weeks from the date of disposal of the revision and the parties were directed to maintain *status quo* as regards the physical features in possession for a period of three (3) months from the date of disposal. This Court further directed to grant liberty to the petitioner to file a petition for interim order and further directed the authority concerned to consider and dispose of the same before the expiry of three months period granted by this Court. This Writ Petition is filed alleging that even though the revision is filed by the petitioner on 08.08.2017, so far no further orders are passed, whereas the stay granted by this Court expired on 14.10.2017.

3. Writ Petition No.22833 of 2017 was disposed of on 14.07.2017. The petitioner waited almost four weeks granted to him by the Court, to make a revision. The Court permitted for consideration of revision and stay petition and take a decision within three months from 17.07.2017. The petitioner now alleged that no decision is made, whereas the stay

granted by this Court expired and there is a threat of dispossession at this stage.

4. If the respondents failed to comply with the direction issued by the Court, the petitioner had to complain of such non-compliance of the directions, but merely because no decision is made within the time granted, he can not institute a fresh writ petition seeking directions to dispose of the revision filed by him and seeking protection till a decision is made by the authorities concerned. This would amount to asking for enlarging the time granted by this Court in W.P. No.22833 of 2017. No such relief can be granted in another writ petition. If the petitioner has valid grievance of inaction and requires extension of protection granted in WP No.22833 of 2017, the petitioner ought to have filed appropriate petition in the said writ petition seeking extension of protection granted by the Court till the decision is taken in the revision or complained of the inaction in taking the decision amounting to violating the directions of this Court and which would affect the right of the petitioner and that such inaction is not valid. Thus, this Court is not inclined to entertain this writ petition.

5. Hence, granting liberty as available to the petitioner in law, the writ petition is dismissed. No order as to costs. Consequently, miscellaneous petitions pending, if any, shall stand dismissed.

P. NAVEEN RAO, J

October 16, 2017.
KTL