

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

WRIT PETITION No.29033 OF 2008

ORDER:

The petitioner seeks writ of Mandamus declaring the action of the respondents in dispossessing the petitioner from the land to an extent of Acres 5.92 cents in Survey No.53 of Pedabheempalli Village, Devipatnam Mandal, East Godavari District, pursuant to the order passed by the 1st respondent in CMA.No.80/2005, dated 29.11.2008 as illegal, arbitrary and unjust and consequently direct the respondents not to dispossess the petitioner from the above mentioned land pending disposal of his revision petition filed before the 5th respondent.

2. When the matter came up for hearing, learned counsel for petitioner would submit that against the order in CMA.No.80/2005 passed by the 1st respondent, the petitioner preferred revision before 5th respondent on 27.12.2008 and so far the said revision petition was not heard and the same is still pending and in spite of the pendency of the revision, the respondent authorities are trying to dispossess the petitioner from the subject land. Aggrieved by the same, the petitioner filed the instant writ petition.

3. In view of the above submission, this Court is of the view that the 5th respondent can be directed to dispose of the revision petition within specific time and pending the revision petition, the possession of the petitioner can be protected.

4. Accordingly, this writ petition is disposed of, with a direction to 5th respondent to dispose of the revision petition filed by the petitioner before the 5th respondent on merits within two months

from the date of receipt of a copy of this order and till the disposal of the revision petition, the petitioner shall not be dispossessed from the subject land.

As a sequel, miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

U.DURGA PRASAD RAO, J

19.09.2018

*Note: issue C.C. by Monday.
B/o.SS*

