

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.5644 of 2018

ORDER:

The petitioners state that the husband of the first petitioner purchased an extent of Acs.4.00 for a valuable consideration on 17.06.1981 and the said land is situated in Survey No.78/2 of Mangalam Village, Tirupathi Urban Mandal, Chittoor District. The patta was obtained by the vendor on 22.06.1944. The said land was classified as AWD in the revenue records due to the wrong survey conducted during the years 1958 to 1962 and the estate was surveyed for the first time during the years 1958 to 1962. The first petitioner's husband also purchased another extent of Acs.2.45 cents in Survey No.113 of the same village under a sale deed dated 01.06.1978. The said vendor also obtained a patta on 22.06.1944. The first petitioner's husband died on 21.03.1993 and the first petitioner succeeded to the said property. Since the lands were classified as AWD, the husband of the first petitioner approached the Settlement officer, Nellore, for grant of patta under Section 11(a) of the Estates Abolition Act, 1948, and the Settlement Officer, after conducting due enquiry, granted patta in favour of the first petitioner's husband by proceedings dated 15.01.1983. The District Collector, Chittoor, preferred a revision against the said order to the Director of Settlements and the revision was allowed on 03.04.2002. Against the same, further revision was preferred by the first

petitioner to the Chief Commissioner of Land Administration, Hyderabad, and the Chief Commissioner confirmed the orders of the Director of Settlements by his order dated 20.03.2010. Though the petitioners state in the affidavit filed in support of the Writ Petition that the present Writ Petition is filed challenging those two orders, those orders are not challenged in the present proceedings.

When the first petitioner filed W.P.No.25621 of 2010 seeking a direction to remand the matter to the Commissioner of Appeals, Nampally, Hyderabad, the order dated 20.03.2010 was set aside and the matter was remanded to the first respondent therein for fresh consideration after giving an opportunity of hearing to all the parties. When the said revision is pending before the Chief Commissioner of Land Administration, the present Writ Petition is filed on the ground that the local political leaders are pressurizing the Tahsildar, Tirupathi Urban Mandal, Tirupathi, Chittoor District, for assigning the said land in favour of third parties. In those circumstances, the petitioners filed the present Writ Petition challenging the action of the respondents in assigning the schedule land of Acs.4.00 in Survey No.78/2P and Acs.2.45 cents in Survey No.113 of Mangalam Village, Tirupathi Urban Mandal, Chittoor District, to third parties.

Since the revision is pending before the Chief Commissioner of Land Administration, Hyderabad, now

transferred to Vijayawada, pursuant to the order in W.P.No.25621 of 2010 filed by the first petitioner, the Tahsildar, Tirupathi Urban Mandal, Chittoor District, shall maintain *status quo* with regard to the land, pending disposal of the said revision. It is not known whether any orders are passed by the Tahsildar, but the present Writ Petition is filed on an apprehension that assignment pattas are going to be issued in respect of the land covered by the revision. Since the revision is numbered as Ref.No.SETT/1(1)/1/2018 by the second respondent, the second respondent is directed to dispose of the said revision, as expeditiously as possible, but not later than six months from the date of receipt of a copy of this order. In the meanwhile, the fifth respondent shall not assign the subject land in favour of third parties.

The Writ Petition is, accordingly, disposed of. The miscellaneous petitions pending in this Writ Petition, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

21.02.2018

Note: Issue C.C in one week.

B/o.

vs