

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.8145 of 2018

Date : 2.4.2018

Between:

Smt Bottu Naga Ratnamma (Died per LRs)
B Savitramma D/o Yafrican Raju
44 yrs Anumpally village, Settur mandal
Anantapur and others

Petitioners

And

The State of A P
Rep by its Prl Secretary,
Revenue Department, Secretariat, Guntur and others

Respondents

The Court made the following:



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ORAL ORDER:

Heard learned counsel for petitioners and learned Government Pleader for Revenue.

2. By order dated 30.3.2002 the Joint Collector/3rd respondent cancelled the assignment made in favour of petitioners. On appeal preferred by petitioners by order dated 30.8.2008, the Commissioner (Appeals)/2nd respondent confirmed the decision of the Joint Collector. Petitioners now contend that revision is preferred in the year 2017 to the Hon'ble Minister for Revenue and said revision is pending consideration. Petitioners also contend that they filed Interlocutory Application in the said revision praying to grant suspension of the operation of the orders dated 30.8.2008. Alleging inaction on the said application, this writ petition is filed.

3. Facts as noted above would make it clear that assignment granted to the petitioners was cancelled as early as on 30.3.2002 and confirmed by the Commissioner (Appeals) on 30.8.2008. Assuming revision is maintainable and same is pending consideration before the Hon'ble Minister, balance of convenience is not in favor of petitioners to grant order of suspension of orders passed in the years 2002 and 2008, respectively. Therefore, it cannot be said that revisional authority erred in not considering the application to grant suspension of order dated 30.08.2008.

4. In the circumstances, leaving it open to the petitioners to pursue the revision, if the same is already filed and pending, the writ petition is dismissed. Pending miscellaneous petitions are closed.

P NAVEEN RAO,J

DATE: 2.4.2018
TVK

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