

HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.8161 of 2018

ORDER:-

Heard learned Counsel appearing for the petitioner and the learned Government Pleader appearing for Social Welfare.

Aggrieved by the Order passed by the 2nd respondent/the Special Deputy Collector (TW), Bhadrachalam, Bhadradri Kothagudem district, under the provisions of the A.P.Scheduled Areas Land Transfer Regulation Rules, 1969 in respect of the property situated in Sy.No.289, the petitioner herein filed appeal under Section 3 (3) of the Regulation 1/59 on 06.11.2017. Along with the said appeal, the petitioner herein claims to have filed stay application also. According to the petitioner, he belongs to Koya community and owns the land admeasuring Ac.0.36 guntas situated in Sy.No.289 of Sundaraiahnagar Area, Manugur village and Mandal of Bhadradri Kothagudem District, having purchased the same from one late Mandari Mangamma, W/o.late Mangaiah through registered sale deed, dated 10.06.1999. He further stated in the Writ Petition that on 01.11.2017 the Revenue authorities came to the said land and on being questioned, they replied that the Special Deputy Collector passed an order in LTR case No.15/2017/MGR, dated 06.09.2017.

It is submitted by the learned Counsel appearing for the petitioner that if the Orders of the second respondent are allowed to be continued in force, the petitioner herein will have to suffer irreparable loss and has to face the eviction.

Since the right of appeal is a substantive right and as the appeal is pending consideration before the 1st respondent/the Additional Agent to the Government (POITDA), Bhadrachalam, this Court deems it fit and proper to dispose of the Writ Petition directing the first respondent to dispose of the appeal dated 06.11.2017 filed by the petitioner herein against the Order dated 06.09.2017 passed by the 2nd respondent in LTR case No.15/2017/MGR, within a period of four months from the date of receipt of a copy of this Order after giving opportunity to all the stakeholders. Till then, status quo with regard to the subject matter shall be maintained.

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

Date: 13.03.2018
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A.V.Sesha Sai, J

