

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.8448 OF 2018

DATED :22.03.2018

Between :

Velpuri Venkata Rama Krishna,
S/o.Velpuri Jaganmohan Rao, Hindu,
Aged about 45 yrs, Occu : Employee,
R/o.20-585/48B, LIC Colony,
Lakshmana Rao Puram,
Chilakalapudi Post, Machilipatnam,
Krishna District-521 002 & others.

.. Petitioners

And

The State of Telangana,
Rep., by its Principal Secretary,
Department of Revenue,
Secretariat Buildings, Hyderabad & others.

.. Respondents



This court made the following :

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ORDER :

Heard learned counsel for the petitioners and learned Government pleader for Revenue (TG) appearing for respondents. With their consent this writ petition is disposed of at the admission stage.

2. By order dated 14.02.2018 the Tahsildar in exercise of power vested in him under Section 3 & 4 of the A.P.Assigned Lands (Prohibition of Transfers) Act, 1977 (for short 'the Act, 1977') passed order of resumption of land to an extent of Ac.1.19 guntas in Sy.No.706 of Mekaguda village, H/o.Nandigama, holding that the assignees illegally sold the land contrary to the assignment conditions and the provisions of the Act, 1977. Petitioners claim to be the purchasers of land from the vendors by way of registered sale deed dated 07.12.2006. The vendors of the petitioners purchased the very same land by way of registered sale deed on 20.02.2006 from the family members of assignees. It appears from the order of the Tahsildar that ceiling surplus land was assigned to landless poor persons. Aggrieved by the order of Tahsildar, petitioner preferred appeal before the Revenue Divisional Officer, Shad Nagar, Ranga Reddy District-2nd respondent and the same is pending. In the said appeal petitioners also filed stay petition against the order of Tahsildar dated 14.02.2018. Alleging that the stay petition is not considered and no orders are passed, this writ petition is filed.

3. Learned counsel for the petitioners seeks direction to dispose of the stay petition against the order of Tahsildar against dispossession.

4. Having regard to the facts noted above, *prima-facie*, the Court is of the opinion that balance of convenience is not in favour of the petitioners to grant stay at this stage and even before the stay application is considered by the RDO.

5. Thus, without expressing any opinion on merits, the Writ Petition is disposed of directing the RDO to consider the stay petition and/or the appeal preferred by the petitioners against the order of the Tahsildar dated 14.02.2018, as expeditiously as possible. If the RDO confines only for consideration of stay petition, he shall pass orders within a period of three (3) weeks from the date of receipt of copy of this order. If the RDO is inclined to dispose of the appeal finally, he shall dispose of the same, after affording due opportunity to the petitioners and opposite parties, if any, within a period of six (6) weeks. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

22nd March, 2018
Rds

P.NAVEEN RAO,J