

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 29817 of 2018

ORDER:

The present writ petition came to be filed seeking issuance of writ of mandamus to declare the action of the 3rd respondent in not disposing of the appeal or the stay petition filed along with the appeal and the proposed action of the 4th respondent to dispossess the petitioner in respect of land admeasuring 0.03 cents each in Sy.No. 53 and 77 of Vempadam Madhura Tallapeta village, Puspaturega Mandal, Vizianagaram District in favour of third parties, as illegal, arbitrary and unconstitutional.

2. The grievance of the petitioners is that though they have preferred an appeal to the 3rd respondent, along with a petition to stay the impugned proceedings issued by the 4th respondent, no orders have been passed on the said appeal or the stay application till date. According to the petitioners, without passing orders on the said stay application, the respondents are trying to dispossess them from the schedule property.

3. The learned Government Pleader, on instructions, would submit that if two weeks time is granted, the authorities shall pass appropriate orders on the stay application filed by the petitioners.

4. Having regard to the facts and circumstances of the case, without going into the merits of the case, the present writ petition is disposed of with consent, at the admission stage, directing the 3rd respondent, before whom the appeal filed by the petitioners is pending, to pass appropriate orders on the stay application filed by the petitioners against the impugned proceedings issued by the 4th respondent, or in the appeal filed by the petitioners, within a period of four weeks from the date of receipt of a copy of this order. Status quo as on today shall be maintained till then. There shall be no order as to costs.

5. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

23.08.2018
DMG

JUSTICE C. PRAVEEN KUMAR