

HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.42606 of 2018

ORDER:-

Heard learned Counsel for the petitioner and the learned Government Pleader for the respondents No1 to 3.

The petitioner herein pressed into service the provisions of the A.P.Scheduled Areas Land Transfer Regulation 1 of 1959, as amended by Regulation 1 of 1970, and filed a petition before the Special Deputy Collector, Tribal Welfare, Rampachodavaram, East Godavari District/R.2 herein in respect of the property admeasuring Ac.3.03 cents in Sy.No.111/1 of Gondolu village of Addateegala Mandal, East Godavari District. The 2nd respondent herein on 21.10.2014 passed an Order ordering ejectment from the scheduled land. As against the said Order passed by the 2nd respondent, the unofficial respondents preferred a statutory appeal on 29.11.2014 before the Additional Agent to Government/R.1 herein.

It is submitted by the learned Counsel for the petitioner that the inaction on the part of the 1st respondent in disposing of the statutory appeal filed by the unofficial respondents herein, as long back as on 29.11.2014, is causing irreparable loss and hardship to the petitioner herein though the primary authority granted an Order in his favour.

It is significant to note that pending appeal before the 1st respondent, questioning the action of the 1st respondent in not granting any suspension of Orders of the primary authority, the

unofficial respondents herein filed W.P.No.27756/2014 wherein this Court passed the following Order:-

“The appeal is slated further hearing on 20.12.2014 by the Additional Agent to the Government, Rampachodavaram.

Therefore, the Tahsildar shall not give effect to his undated proceedings signed by him on 08.12.2014, demanding the petitioner to deliver vacant possession to the Deputy Tahasildar.

Call after two weeks in Motion List.”

A reading of the above Order shows that there is no impediment on the part of the 1st respondent herein to pass appropriate Orders on the appeal pending.

Having heard the learned Counsel for the petitioner and the learned Government Pleader, this Court deems it appropriate to dispose of the Writ Petition, with a direction to the 1st respondent herein to pass appropriate Order on the appeal, dated 29.11.2014, filed by the unofficial respondents herein against the Orders of the 2nd respondent, dated 21.10.2014, as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of this Order after giving notices to all the stakeholders.

Miscellaneous petitions pending, if any, shall stand disposed of. There shall be no order as to costs.

A.V.Sesha Sai, J

Date:17.12.2018
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