

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.45422 OF 2018

ORDER:

Heard counsel for petitioners and the Government Pleader for Social Welfare appearing for respondents.

2. Mother of the petitioners, one Smt. Kanem Somalamma, filed petition under Section 3 of the A.P. (Scheduled Areas) Land Transfer Regulation 1/1959 as amended by Regulation 1/1970 seeking restoration of the Scheduled Lands, admeasuring Acres 5.36 cents situated in Survey No.82/5 of Surampalem Village of Gangavaram Mandal, East Godavari District before the Special Deputy Collector, Tribal Welfare, Rampachodavaram, East Godavari District, 3rd respondent herein.

3. The 3rd respondent by way of an order in LTRP.No.26/1996 dt.08.12.1999 ordered restoration of the lands.

4. According to the petitioners, thereafter the land was handed over to the petitioners herein on 25.01.2000.

5. Against the said orders passed by the 3rd respondent, 5th respondent filed CMA No.135 of 2008 under Section 3(3) of the Regulations read with 52 of the Agency Rules before the Additional Agent to Government, 2nd respondent herein.

6. The 2nd respondent by way of an order dt.07.03.2018 allowed CMA No.135 of 2008.

7. Aggrieved by the said order of the appellate authority, the 2nd respondent herein, petitioners herein filed a Statutory Revision

before the State Government on 21.11.2018 and also filed an application seeking suspension of the order passed by the appellate authority in CMA No.135 of 2008.

8. The grievance of the petitioners in the present Writ Petition is in view of the absence of any orders either on the I.A., or on the main Revision filed by the petitioners herein before the 1st respondent, the revenue authorities are acting contemplating to take possession of the subject lands also and if the same is allowed, petitioners herein will have to sustain irreparable loss and injury and the statutory Revision filed before the State Government would become redundant.

9. Having heard the learned counsel for petitioner and the learned Government Pleader for Social Welfare, since the Statutory Revision and Stay Application are pending before the State Government, this Court deems it appropriate to dispose of the Writ Petition with a direction to the 1st respondent to pass appropriate orders on the Revision filed on 21.11.2018 by the petitioners herein against the orders of the 2nd respondent in CMA No.135 of 2008 dt.07.03.2018, as expeditiously as possible, preferably within a period of six (06) weeks from the date of receipt of a copy of this order, after giving opportunity to all the stake-holders. Till such exercise is completed, *status quo* as on today with regard to the possession of the subject land shall be maintained.

10. Accordingly, the Writ Petition is disposed of as above. No order as to costs.

11. The miscellaneous petitions filed in this writ petition shall stand closed in the light of this final order. No order as to costs.

A.V.SESHA SAI, J

14th December, 2018.

Note: Issue CC in two (02) days.

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