

HON'BLE SRI JUSTICE T. VINOD KUMAR

WRIT PETITION No.23884 of 2019

ORDER:

This writ petition is filed aggrieved by the order dt.19.06.2017 in C.M.A.No.21 of 20018 passed by respondent No.2 – Additional Agent to the Government and Project Officer, ITDA, Bhadrachalam, holding that the petitioner is not entitled to have any valid title over the land and the provisions made under Land Transfer Regulation 1/59, as amended by 1/70, stand attracted. By the said order, respondent No.2 further directed respondent No.4 to take over the scheduled land into Government's custody, evicting the persons, whoever is in possession under the cover of panchanama and assign the same to the eligible poor Tribals as per the Rules in force.

Heard Sri K. Sarath, learned counsel for the petitioner and the learned Government Pleader for Social Welfare.

Learned counsel for the petitioner submits that aggrieved by the order dt.19.06.2017 in CMA.No.21 of 2008 passed by respondent No.2, the petitioner has preferred a Revision before the 1st respondent – Government and the same is pending. Along with the revision, the petitioner has also filed an application seeking stay of operation of the order under revision and also an application to condone delay in filing the said revision. The petitioner further asserted in the affidavit that the petitioner is in possession of the land to an extent of Acs.9.04 guntas in Sy.No.57, situated at Mallaram Village, Dammapeta Mandal, Bhadradi

Kothagudem District, and also belongs to Schedule Tribe Community.

In view of the same, without expressing any view, inasmuch as the revision filed by the petitioner is pending before respondent No.1 – Government, this Court is of the considered view that respondent No.1 be directed to dispose of the said revision in accordance with law, as early as possible, after issuing notice to the effected parties and also affording an opportunity of hearing to all the concerned. Pending disposal of the said revision, there shall be stay of dispossession of the petitioner, if the petitioner is in possession of the subject land.

Accordingly, this writ petition is disposed of. No order as to costs.

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

JUSTICE T. VINOD KUMAR

01.11.2019.
Msr

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