

HON'BLE SRI JUSTICE BATTU DEVANAND

WRIT PETITION No.6691 of 2020

ORDER:

This writ petition is filed to declare the action of the 2nd respondent in failing to dispose of the restoration application filed by the petitioner along with the delay condonation application seeking restoration of Appeal No.RP.V2/78/2013, which was dismissed for default, by the order, dated 6.9.2018, as illegal.

2. Heard learned counsel for the petitioner and learned Government Pleader for Revenue appearing for the respondents. With the consent of both the counsel, this Writ Petition is disposed of at the stage of admission.

3. Learned counsel for the petitioner submits that the deceased father of the petitioner filed an application for Inam Ryotwari Patta under Andhra Pradesh Inams Abolition Act, 1973, before the Inam's Deputy Tahsildar, Chittoor and pending the same, he filed Writ Petition No.11219 of 1983 seeking for grant of patta. This Honourable High Court in W.P.No.15332 of 1983 granted interim direction and accordingly, the Inam Deputy Tahsildar, Chittoor, after completing the enquiry, granted Ryotwari Pattat to an extent of Ac.2-25 cents in Survey No.265/2 and an extent of Ac.1-61 cents in Survey No.264/2 and also in Survey No.263/2 to an extent of Ac.0-15 cents in Tiruchanur Village and implemented the same in the revenue record and also granted settlement patta.

4. Learned counsel for the petitioner further submits that as the claim of the petitioner for an extent of Ac.3-00 cents in Survey No.265/3 and an extent of Ac.0-20 cents in Survey No.263/4 was

rejected, then the deceased father of the petitioner filed appeal before the Revenue Divisional Officer-cum-Appellate Authority in Appeal vide ROC.No.G/4370/1986 and by an order dated 1.7.1986, *status quo* was granted by the Appellate authority. After demise of his father, by virtue of a registered WILL dated 21.9.1998, the petitioner became a successor as his legal heir. It is further submitted that the deceased father of the petitioner filed two appeals and the same were dismissed on 31.1.2013. Aggrieved by the same, he filed Revision petitions in R.P.No.V2/78/2013 and R.P.No.V2/79/2013 before the Chief Commissioner of Land Administration i.e., the 2nd respondent herein and *status quo* orders were passed, pending these revision petitions.

5. Learned counsel for the petitioner also submits that on 6.9.2018, as there was no representation on behalf of the petitioner and his counsel, the Appellate authority i.e., 2nd respondent, dismissed the above said revision petitions for default. Aggrieved by the same, the petitioner has filed a petition before the 2nd respondent for restoration of revision in R.P.No.V2/78/2013 along with the application to condone the delay of 28 days, but the same are kept pending without passing any orders.

6. In view of the above circumstances, the 2nd respondent is directed to consider the restoration application filed by the petitioner along with the delay condonation application seeking restoration of R.P.No.V2/78/2013 and pass appropriate orders by following due process of law, within a period of two (02) weeks from the date of receipt of a copy of this order.

7. The writ petition, with the above direction, is disposed of.

As a sequel, miscellaneous petitions pending, if any, in the writ petition shall stand closed.

Dated : 17.3.2020
rpd

SRI BATTU DEVANAND, J

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