

HON'BLE SMT JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION No.9971 of 2019

ORDER:

With the consent of learned counsel for the petitioner and learned Government Pleader for Assignment, the Writ Petition is being disposed of at the admission stage.

This Writ Petition is filed declaring the inaction of respondent No.2, in staying the order of respondent No.3 dated 31.08.2013, as illegal and arbitrary.

Petitioner states that the Tahsildar, Chandragiri assigned an extent of Ac.5.25 cents in Sy.No.1505/1 situated at Chandragiri Revenue Village in favour of her paternal aunt, Smt B.Munemma, and entered her name in the revenue records; the Revenue Divisional Officer, Tirupathi, cancelled the pattadar pass books and title deeds of the original assignee; on appeal filed by the original assignee, respondent No.3 confirmed the order of respondent No.4 dated 26.10.2015; she, along with others, filed W.P.No.37082 of 2015; by order dated 12.04.2017, this Court set aside the orders of respondent Nos.3 and 4 and remanded to respondent No.3 to pass orders afresh in accordance with law; on remand, respondent No.3 issued show cause notice dated 06.05.2017 calling for explanation as to why assignment should not be cancelled; by proceedings dated 31.08.2017, respondent No.3 cancelled the assignment; assailing which, she filed appeal along with stay application;

and, as the stay application has not been disposed of, the present writ petition is filed.

Learned Government Pleader for Assignment submits that, if the stay application is still pending consideration before respondent No.2, the same may be directed may be directed to be disposed of in accordance with law.

In the circumstances, respondent No.2 is directed to dispose of the stay application filed by the petitioner, after affording an opportunity of hearing, as expeditiously as possible, preferably within a period of two weeks from the date of receipt of a copy of the order. Pending disposal of the stay application, there shall be an order of *status quo* with regard to possession of the subject property. No order as to costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

KONGARA VIJAYA LAKSHMI, J

Dt:26.07.2019
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