

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

WRIT PETITION No.19226 OF 2019

ORDER:

This writ petition is filed under Article 226 of the Constitution of India to issue Writ of Mandamus declaring the inaction of second respondent in passing any order on the stay petition filed by the petitioner in Revision Petition No. 45 of 2019 against the orders of the third respondent vide D.Dis.G/7875/2016 dated 30.04.2019 in respect of the land in Sy.No.170/3 to an extent of Ac.4-42 cents situated at Nennur village, Ramachandrapuram Mandal, Chittoor District, as illegal arbitrary and contrary to law and violation of principles of natural justice and violation of Article 300A of the Constitution of India and consequently direct the respondents not to take any coercive steps without following due process of law.

It is an admitted fact that this petitioner filed Revision Petition No. 45 of 2019 questioning the orders passed by the third respondent vide D.Dis.G/7875/2016 dated 30.04.2019 and also filed an application along with the report for grant of stay, but it is pending before the second respondent/District Collector till date, though it is filed long ago.

Failure to pass an order and keeping the petition pending for years together amounts to infringement of fundamental right guaranteed under Article 21 of the Constitution of India, right to life and right to personal liberty, right to speedy justice. Therefore, to avoid such further infringement of fundamental right guaranteed under Article 21 of the Constitution of India, I deem it appropriate to issue a direction to the second respondent/District Collector, Chittoor, to dispose of the stay petition filed by the petitioner in

Revision Petition No. 45 of 2019 against the orders of the third respondent vide D.Dis.G/7875/2016 dated 30.04.2019, as expeditiously as possible, in any event, not later than a week from today.

However, the petitioner is permitted to furnish a copy of this order to the second respondent to act upon and pass appropriate orders.

With the above direction, writ petition is disposed of. No costs.

Consequently, miscellaneous applications pending if any, shall stand closed.

JUSTICE M. SATYANARAYANA MURTHY

Date:29.11.2019

Note: Issue copy by 02.12.2019

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