

**THE HONOUABLE SRI JUSTICE V.ESWARAIAH**

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**W.P. No. 14636 of 2007**

\_\_\_\_\_  
**Date:31-08-2007**

Between:

Pirila Gangamma

..

**PETITIONER**

AND

The Special Deputy Tahsildar, TW, Gangavaram and three  
others

**...RESPONDENTS**

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**ORDER:**

The petitioner seeks a writ of mandamus suspending the operation of the order of the 2<sup>nd</sup> respondent in L.T.R.P.No.428 of 2004, dated 05.06.2007.

It is the case of the petitioner that he is in possession and enjoyment of Ac.01-00 guntas of land in R.S.No.412/2 of Nallipudi village, Gangavaram mandal, East Godavari District. It is stated that the petitioner is a non-tribal. It is stated that as against the order passed by the second respondent in LTRP No.428 of 2004, dated 05.06.2007 ejecting the petitioner from the said land on the ground that the petitioner is in possession and contravention of A.P. Scheduled Area and Land Transfer Regulation 1 of 1959 as amended by Regulation 1 of 1970 and consequently directed the first respondent for consequential assignment to eligible tribals by removing the petitioner. It is stated that as against the said order, the petitioner filed an appeal before the 3<sup>rd</sup> respondent on 08.07.2007 and it was returned and subsequently the same was resubmitted on 06.08.2007.

The learned Government Pleader for the respondents on instructions also submitted that an appeal has been resubmitted on 06.08.2007 and it is pending on the file of the 3<sup>rd</sup> respondent.

Having regard to the facts and circumstances of the case, without expressing any opinion with regard to merits of the case, the writ petition is disposed of directing the 3<sup>rd</sup> respondent to consider and dispose of the appeal filed by the petitioner against the order of the 2<sup>nd</sup> respondent, dated 05.06.2007 in accordance with law and pending appeal, status-quo with regard to the possession obtained as on today shall be maintained. No costs.

**Date:31.08.2007**  
**CCM**

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**V.ESWARAIAH, J.**