

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH

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WRIT PETITION No. 23861 of 2015

BETWEEN

Velamuri Rama Krishna Reddy

... PETITIONER

AND

The State of Andhra Pradesh, rep. by its Principal Secretary and others

...RESPONDENTS

Date of Order pronounced: 31.07.2015

SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

1. Whether Reporters of Local newspapers Yes/No
may be allowed to see the Judgments?

2. Whether the copies of judgment may be Yes/No
marked to Law Reporters/Journals?

3. Whether his Lordship wish to see the Yes/No

fair copy of the Judgment?

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ORDER:-

Heard.

2. Petitioner was earlier issued notice under Section 7 of the Land Encroachment Act, 1905 dated 19.02.2015 on the allegation that he is occupying the cart track land in survey No.476/1 of Narsaraopet Revenue Village. The said notice was replied by the petitioner and after considering the same, the fourth respondent passed the eviction order dated 03.06.2015. The said order is appealable and the petitioner did not dispute the same but he had earlier approached this court in W.P.No.16031 of 2015 seeking breathing time to enable him to prefer appeal and obtain appropriate orders from the appellate authority. Considering that petitioner has leased out his land located in one of the properties against which the eviction order is passed to the Government, this court by order dated 08.06.2015 granted limited stay of eviction and in the interregnum petitioner was permitted to avail appropriate remedy and seek appropriate orders from the appellate authority. Thereafter petitioner filed an appeal in R.Dis.Rc.No.3156/2015-E4 and the third respondent after considering the same has dismissed the said appeal by order dated 24.07.2015. Petitioner states that against the said order he intends to invoke revisional jurisdiction of the Government for which he has 90 days limitation. However, since the order of eviction is to be executed petitioner has filed this writ petition claiming similar relief as was sought for in the earlier writ petition.

3. I am not inclined to entertain the writ petition as petitioner has remedy of revision which he himself intends to avail. Leaving it open to the petitioner to avail such remedy, the order of eviction passed against him by the fourth respondent as confirmed by the third respondent under the impugned order dated 24.07.2015 shall however remain stayed till 10.08.2015 within which time petitioner should approach appropriate revisional authority and seek appropriate further orders.

With the liberty aforesaid, writ petition is disposed of.

As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

July 31, 2015

LMV

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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WRIT PETITION No. 23861 of 2015

July 31, 2015

LMV