

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

* * *

WRIT PETITION No. 36284 of 2015

BETWEEN

Shaik Mujaheed

... PETITIONER

AND

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

...RESPONDENTS

Date of Order pronounced: 07.11.2015

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 suffered an order of eviction passed by the Tahsildar, Bestavaripeta Mandal in Rc.No.A/08/2015 dated 23.10.2015 directing removal of encroachment alleged against the petitioner. Aggrieved thereby, petitioner preferred an appeal on 04.11.2015 along with the stay petition before the third respondent. Since petitioner apprehends dispossession, he has approached this court on the ground that the appellate authority has neither taken up the appeal nor the stay petition filed therein.

3. Noticing that the petitioner has filed the appeal only on 04.11.2015 and filed the present writ petition on 05.11.2015 and thereby as there is no inaction whatsoever to maintain the Mandamus, learned Government Pleader for Revenue was required to get instructions as to whether the appellate authority is available and functioning. It is now reported by the learned Government Pleader that all the revenue officers are preoccupied with 'Mee Bhoomi-Mee Intiki' programme and the third respondent would consider and pass appropriate orders in the appeal and the stay petition in two or three weeks time.

4. In view of the said representation, I deem it appropriate to direct the respondents not to execute the order of the fourth respondent dated 23.10.2015, referred to above, for a period of three weeks and in the meanwhile, the third respondent before whom the petitioner's appeal and the stay petition is pending shall fix a date after notice to petitioner in the said appeal and thereafter after hearing the petitioner pass appropriate orders at least in the stay petition filed in the said appeal.

The writ petition is accordingly 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

November 7, 2015

LMV