

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 8020 of 2015

ORDER:

Questioning the action of the 3rd respondent-Tahsildar in trying to evict the petitioner from the lands in his occupation, though the appeal filed by the petitioner before the 2nd respondent-Revenue Divisional Officer against the order dated 02.02.2015 passed by the 3rd respondent is pending, this writ petition is filed.

2. The averments in the writ affidavit are to the effect that the petitioner is the purchaser of lands in an extent of Ac.2-06 cents and Ac.2-17 cents in RS No.144/8 and RS No.145/1, respectively, of Unikili village, Mandavalli mandal, Krishna district, from the 4th respondent by way of an agreement of sale. While so, the 3rd respondent issued Form-II Notice to the petitioner seeking explanation and to show cause as to why he should not be evicted from the lands in question. The petitioner submitted his explanation and when the 3rd respondent tried to evict the petitioner, he approached this Court by filing W.P.No.2592 of 2012 and the said writ petition was disposed of directing the 3rd respondent to pass appropriate orders in accordance with law. It is stated that in respect of the subject lands, the 4th respondent was issued with a Form-I Notice against which she filed a representation on 20.11.2014, consequent to which Form-II Notice was issued to the petitioner on 09.01.2015, and the order dated 02.02.2015 came to be passed ordering eviction of the petitioner. The petitioner states that, against the order dated 02.02.2015, he filed an appeal before the 2nd respondent and the same is pending.

3. Heard the petitioner's counsel and the learned Government Pleader.

4. Considering the fact that the appeal is pending before the 2nd respondent, this writ petition can be disposed of by directing the 2nd respondent to dispose of the appeal, within a period of four months from today; and till such time there shall be stay of eviction of the petitioner.

5. With the above direction, the writ petition is disposed of. No costs. Miscellaneous petitions, if any pending in this writ petition, shall stand closed.

CHALLA KODANDA RAM, J

25th March, 2015

ksm