

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WRIT PETITION No.21655 OF 2015

ORDER :

Heard.

The petitioner has a limited grievance with regard to the appellate authority viz. the 2nd respondent in not taking up the petitioner's appeal dated 30.06.2015 along with stay petition filed therein.

The facts show that against the orders of the 3rd respondent-Tahsildar under Section 6 of the A.P. Land Encroachment Act, 1905 dated 09.06.2015 directing the petitioner to vacate his tiled house standing on 0.13 cents in Survey No.183/5B of Nidumukkala Village, Tadikonda Mandal, Guntur District, the petitioner preferred an appeal on 30.06.2015 together with stay petition

The petitioner states that notwithstanding the availing of appellate remedy within the time respondents 3 and 4 have high handedly locked the petitioner's house by fencing the main gate. The petitioner states that he has registered document to prove his title and the proceedings taken by the 3rd respondent are liable to be set aside.

All these aspects are before the appellate authority for considering the appeal of the petitioner. Since the petitioner has already filed the stay petition, at least it is to be heard and disposed of by the 2nd respondent.

Therefore, the writ petition is disposed of directing the 2nd respondent to fix a date for hearing of the petitioner's appeal and pass appropriate orders at least to the extent of stay petition filed by the writ petitioner as expeditiously as possibly preferably within a period of two weeks from the date of receipt of a copy of this

order. Pending further orders, status quo as on today with regard to the proceedings, if any, taken in pursuance of orders of Tahsildar, dated 09.06.2015 shall be maintained.

Miscellaneous petitions pending in this writ petition, if any, shall stand closed. No costs.

VILAS V.AFZULPURKAR, J

14.07.2015

Note: issue c.c. tomorrow

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DATE: 14.07.2015

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