

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 25020 of 2016

ORDER:

Aggrieved by the action of the 3rd respondent Revenue Divisional Officer, Eluru Division in not deciding the Appeal dated 01.07.2016 along with the Stay Application, preferred against the order dated 18.06.2016 passed by the Tahsildar, Eluru Mandal, by which, the petitioner was directed to be evicted from her landed property, in a total extent of Ac.1.15 cents in Survey Nos. 717/2B1 and 717/2B2 situated at Chataparru Revenue Village, Eluru Mandal, West Godavari District, this Writ Petition has been filed.

The petitioner claims to be the owner and possessor of the above extent of land. The 4th respondent Tahsildar, based on the complaint given by Sri Kakarla Krishna and Sri Guda Prabhakara Rao to the Hon'ble Lokayukta, issued notices dated 24.03.2016 to the petitioner to show cause as to why the aforesaid land should not be resumed to government. Though the petitioner submitted her explanation, the 4th respondent without considering the same, passed the order dated 18.06.2016 directing her eviction. Against the said order, she filed an Appeal along with an Application for stay on the file of the 3rd respondent Revenue Divisional Officer on 01.07.2016, but till now, no orders have been passed thereon.

Heard learned counsel for the petitioner as well as learned Government Pleader for Revenue (Andhra Pradesh).

The impugned order itself shows that the petitioner is in possession of the subject land as of now and it merely directed to take possession of the land from her. In those circumstances and also in view of the fact that the petitioner has already preferred the Appeal before the 3rd respondent, without going into the merits of the matter any further, it would be expedient in the interests of justice to direct the latter, to consider and dispose of the said Appeal within a fixed time-frame.

The 3rd respondent Revenue Divisional Officer is therefore, directed to consider and dispose of the Appeal within eight weeks from the date of receipt of a copy of this order. Till then, it is made clear that the petitioner shall not be dispossessed from the subject land.

With this, the Writ Petition stands disposed of. No costs.

Consequently, the Miscellaneous Applications, if any shall also stand disposed of.

CHALLA KODANDA RAM, J.

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