

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.8309 of 2017

ORDER:

The only grievance of the petitioner is that the 2nd respondent is not disposing the appeal filed by the petitioner in Roc.No.B4/1554/2013 in respect of lands in Sy.No.364-3 an extent of Ac.0-97 cents and Sy.No.364-4 an extent of Ac.0-56 cents situated at Bandhalapalli Gram panchayat, Nimmanapalli Mandal, Chittoor District. Learned counsel for the petitioner also submits that notice was also issued in the appeal to the petitioner as well as to the 4th respondent. But still the appeal is not being disposed of. Aggrieved by the same, the present writ petition is filed.

Heard learned Assistant Government Pleader for Revenue, who submits that the petitioner is not in possession of the subject lands. The authorities cannot go into the veracity of the documents filed by the 4th respondent and the petitioner has to approach competent civil Court by instituting a suit against the 4th respondent under the provisions of Specific Relief Act. It is also stated that pattadar passbooks already issued in favour of the 4th respondent and the appeal is pending before the 2nd respondent. Since it is stated that the appeal is pending before the 2nd respondent, it is for the 2nd respondent to consider the said aspects.

In view of the same, the 2nd respondent is directed to dispose of the appeal filed by the petitioner in accordance

with law within a period of eight weeks from the date of receipt of a copy of this order after issuing notice to the petitioner and to the 4th respondent and after affording opportunity of hearing to them. Till then *status-quo* regarding entries over the subject property shall be maintained.

Accordingly, this writ petition is disposed of. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

21-03-2017
Nvl



