

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 11990 of 2017

ORDER:

This writ petition is filed challenging the proceedings, dated 24.09.2015, issued by respondent No.5 declaring the petitioners herein as unauthorized occupants of the public premises situated in Survey Nos.2053, 2054, 2055, 2056, 2057, 2058 and 591 of Umareddygunta, Nellore District and directing them to vacate the same.

It is admitted by both the learned counsel that there is a right of appeal under Section 9 of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971 to the District Judge concerned and the petitioners can avail the same.

In view of availability of alternative remedy of appeal, this Court is not inclined to entertain the present writ petition, but gives liberty to the petitioners to avail the same, within a period of 30 days from the date of receipt of a copy of this order. In view of such liberty and in view of continuance of possession of the petitioners, they shall not be evicted from the premises in question for a period of 60 days from today. If for any reason, any of the petitioners do not prefer the appeal against the order impugned, it is open to the competent authority to take appropriate proceedings for eviction of the non-appealing petitioners.

The writ petition is accordingly disposed of.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO,J

Dt:10.04.2017
kdl

