

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.16077 OF 2018

Dated:1.5.2018

Between:

Koruprolu Satyanarayana S/o late Venku Naidu

46 years

R/o Gundupala village Golugonda mandal

Visakhapatnam district

... Petitioner

And

State of Andhra Pradesh,

Represented by its Principal Secretary,

Revenue Department,

Secretariat Building,

Velagapudi, Amaravathi,

Andhra Pradesh and others.

... Respondents



The Court made the following:

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ORDER:

Tahsildar, Golugonda, by order dated 18.07.2017, held that the assignment land was transferred violating the conditions of assignment and the provisions of A.P. Assigned Lands (Prohibition of Transfers) Act, 1977. Aggrieved thereby, petitioner preferred appeal before the Appellate Authority. The Revenue Divisional Officer, vide his order dated 06.03.2018, confirmed the decision of the Tahsildar. Aggrieved thereby, petitioner preferred further appeal under Section 4-(A)(2) of the Act. Petitioner also claims that he filed application for grant of stay, pending second appeal. Alleging inaction and attempting to dispossess the petitioner, this writ petition is filed.

2. Learned counsel for the petitioner prays to grant stay of the orders of eviction pending consideration of the second appeal.

3. Learned counsel for the petitioner asserts that the respondent authorities cut the paddy raised on the land and taken away the paddy. Therefore, at this stage, Court is not inclined to grant the stay more so, when the second appeal filed by the petitioner along with stay application is pending consideration by Joint Collector.

4. Thus, it is open to petitioner to pursue the stay application filed in the second appeal. The Joint Collector, Visakhapatnam, is directed to consider the application for grant of stay and pass appropriate orders as warranted by law. The decision shall be taken within a period of two weeks from the date of receipt of copy

of the order and shall communicate the decision. The Joint Collector shall take note of the fact that the time limit fixed is required to be complied, in view of the fact that petitioner claimed to have cultivated paddy and is ripe for harvesting and in fact, already, portion of the paddy was cut by the revenue authorities.

5. Accordingly and with the above directions, this writ petition is disposed of. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence. No order as to costs.

DATE:01.5.2018
TVK



P.NAVEEN RAO, J



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