

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.18710 of 2018

ORDER:

According to the petitioners they are in possession of the land belonging to the fourth respondent Choultry. The Assistant Commissioner/the third respondent herein, by way of an order bearing Rc.No.A3/2254/2017/ADM, dated 27.02.2018, directed the Executive Officer of the subject Choultry to take over the land and put the same to public auction as per rules.

2. As against the said order petitioners herein approached the Regional Joint Commissioner, A.P. Endowments Department/fifth respondent herein by way of a representation dated 04.05.2018. According to the learned counsel for the petitioners, the impugned action on the part of the respondent authorities in seeking to evict the petitioners herein and to proceed with the auction on 08.06.2018 pursuant to the auction notice dated 28.05.2018 is highly illegal, arbitrary and violative of the provisions of the Endowments Act and the Rules framed there-under.

3. Since the appeal/representation filed by the petitioners herein dated 04.05.2018 is pending consideration before the fifth respondent-Regional Joint Commissioner, A.P. Endowments Department, Rajamahendravaram, East Godavari District, this Court deems it appropriate to dispose of the writ petition, directing the Regional Joint Commissioner, A.P. Endowments Department, Rajamahendravaram, East Godavari District to verify the appeal/representation dated 04.05.2018 filed by the petitioners herein and to pass appropriate orders on the said appeal/representation after affording personal hearing to the petitioners herein. It is further made clear that the auction now proposed and is impugned in the present writ petition pursuant

to the auction notice dated 28.05.2018 on 08.06.2018 may go on and the same shall not be finalised pending consideration of the representation/appeal dated 04.05.2018 filed by the petitioners herein. As a sequel, the miscellaneous petitions, if any, shall stand disposed of. There shall be no order as to costs.

A.V.SESHA SAI, J

Date:07.06.2018

Note:

Furnish CC today.
b/o grk



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Dated 07.06.2018

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