

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.31621 OF 2018

ORDER:

The present writ petition came to be filed seeking to declare the action of the 2nd respondent, in not considering the appeal filed by the petitioner on 29.6.2018, under Section 10 of the A.P. Encroachment Act, 1905 (for short, "the Act"), nor granted any stay of further constructions, if any made by the 5th respondent, in the properties admeasuring Ac.7.13 cents, Ac.0.97 cents and Ac.4.90 cents, situated at Sy.Nos.194/1,194/2 and 194/3 respectively of Vinukonda Town, Guntur District, as illegal and arbitrary.

A perusal of the record would show that an order dated 17.03.2018, came to be passed by this Court in W.P.No.18554 of 2018 holding that the petitioner has to work out his remedy available against the notice issued by the 4th respondent under Section 6 of the Act.

Pursuant to the order dated 17.3.2018, passed by this Court in W.P.No.18554 of 2018, petitioner preferred an appeal before the 2nd respondent-District Collector on 29.6.2018 and it is pending consideration.

Learned Government Pleader for Revenue, would submit that the appeal is posted to 22.09.2018 and a notice was also issued to the petitioner informing about the hearing of the appeal on 22.9.2018. It is also submitted by the learned Government Pleader that the instructions have been given to the 5th respondent not to proceed with further constructions in the said land till the disposal of the appeal.

Having regard to the above, learned counsel for the petitioner submits that a direction may be given to the 2nd respondent-District Collector to dispose of the appeal dated 29.6.2018, filed by the petitioner at the earliest.

Having regard to the facts and circumstances of the case, the writ petition is disposed of directing the 2nd respondent-District Collector, to dispose of the appeal dated 29.6.2018 filed by the petitioner, as early as possible, preferably within a period of three weeks from today, in accordance with law after giving reasonable opportunity of hearing to the petitioner and all concerned.

With the above direction, the writ petition is disposed of. No order as to costs. As a sequel to disposal of the writ petition, WP.M.Ps if any pending shall stand closed.

Dated:05.09.2018.
Gk

C. PRAVEEN KUMAR, J



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