

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.38487 OF 2018

ORDER:

The present writ petition came to be filed seeking to declare the notice dated 10.10.2018, issued by the 2nd respondent, pending disposal of I.A.Nos.661 and 662 of 2018, filed by the petitioner in O.A.No.516 of 2013, on the file of Andhra Pradesh Endowments Tribunal, Pedakakani, Amaravathi (camp at Kakinada), as illegal and arbitrary.

2. Though various grounds are raised, learned counsel for the petitioner submits that though I.A.No.661 of 2018 came to be filed to condone the delay in filing the petition to set aside the *ex parte* decree and I.A.No.662 of 2018, to set aside the *ex parte* decree dated 19.12.2017, passed by the A.P. Endowments Tribunal, are pending consideration before the A.P. Endowments Tribunal, the impugned notice came to be issued directing the petitioner to vacate the encroached land within ten days from the date of receipt of the notice, by removing the constructions made thereon.

3. Learned counsel for the petitioner further submits that the permanent residential structures are raised in the subject premises and it may not be proper for removal of the same pending disposal of the above said two applications before the A.P. Endowments Tribunal.

4. Learned Standing Counsel for respondent Nos. 2 and 3 would submit that the Andhra Pradesh Endowments Tribunal, Pedakakani, (Amaravathi) (Camp at Kakinada), may be directed to dispose of I.A.Nos.661 and 662 of

2018, filed by the petitioner in O.A.No.516 of 2013, in accordance with law, within a reasonable time.

5. Having regard to the facts and circumstances of the case, the writ petition is disposed of directing the Andhra Pradesh Endowments Tribunal, Pedakakani, (Amaravathi) (Camp at Kakinada), to dispose of I.A.Nos.661 and 662 of 2018, filed by the petitioner in O.A.No.516 of 2013, in accordance with law, at the earliest, preferably, within a period of four to six weeks from the date of receipt of copy of this order, after giving reasonable opportunity of hearing to the petitioner and all concerned. Till such time, the impugned notice stands suspended.

6. Miscellaneous petitions, pending if any, shall stand closed in the light of this final order. No order as to costs.

25.10.2018
vhh

C. PRAVEEN KUMAR, J

