

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.35569 of 2015

ORDER:

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Heard.

The petitioners state that all of them were granted house site pattas several years back and they have constructed houses and residing therein by paying taxes. They are, however, aggrieved by identical notices issued under Section 7 of the Act to each one of them on 10-10-2015. The petitioners state that they have given detailed explanations alleging that the A.P.Land Encroachment Act, 1905 has no application and the said explanations are stated to be pending consideration before the 1st respondent. While so, apprehending that they are likely to be dispossessed, the petitioners filed the present writ petition questioning the notices issued under Section 7 of the Act.

Since notices to each petitioner are given separately, the Registry could not have entertained the common writ petition. However, in view of the limited grievance of the petitioners that they may not be dispossessed from the lands in question without considering their explanations, this writ petition is heard and disposed of by this order.

Since each petitioner has already given explanation to the notices issued by the 1st respondent under Section 7 of the Act, the 1st respondent is directed to consider the explanations of the petitioners in accordance with law and take appropriate decision by passing a reasoned order. Till the said exercise is completed, the 1st respondent shall not interfere or dispossess the petitioners from their respective extents covered by the respective notices.

Accordingly, the writ petition is disposed of. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

VILAS V.AFZULPURKAR, J

Date: 30-10-2015

Prv

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

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Prv

