

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.36317 of 2015

ORDER:

Heard.

The petitioner states that she was granted D-form patta by the 4th respondent in respect of the land admeasuring Ac.0-75 cents in Sy.No.287-1B situated at Kesavaram Revenue Village, Kota Mandal, SPSR Nellore District and subsequently, pattadar passbooks and title deeds were issued in her favour. However, she is aggrieved by issuance of notice by the 4th respondent under Section 7 of the A.P.Land Encroachment Act, 1905 (for short 'the Act') on 23-10-2015 alleging encroachment of the land admeasuring Ac.0-96 cents in Sy.No.287-1. The petitioner states that she made detailed explanation on 30-10-2015 followed by another representation, dated 15-10-2015. It is stated that no orders are passed by the 4th respondent on the said representations but attempts are being made to dispossess the petitioner. Hence, the present writ petition is filed.

Learned Government Pleader fairly states that the petitioner's explanation would be considered and appropriate reasoned orders would be passed by the 4th respondent.

Obviously, since the notice is given to the petitioner under Section 7 of the Act, to which the explanation is filed by the petitioner, the 4th respondent has to consider the same and pass a reasoned order accepting or rejecting the said explanation. The dispossession of the petitioner, even before such order is passed, is clearly contrary to the Act.

Hence, the writ petition is disposed of directing the 4th respondent to consider the petitioner's explanation and pass appropriate reasoned orders in accordance with law expeditiously. Till then, the 4th respondent shall not interfere or dispossess

the petitioner from the land in question. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

VILAS V.AFZULPURKAR, J

Date: 06-11-2015

Prv

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