

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.22739 of 2015

ORDER:

The petitioners claim that they are in possession and enjoyment of the agricultural lands admeasuring Ac.0-75 cents in Sy.No.184-1 (described as 184-3A) admeasuring Ac.0-25 cents in Sy.No.190-1A situated at Kasireddigaripalle Village, Nadigadda Post, Sodam Mandal, Chittoor District. The petitioners state that they are having pattadar pass books in respect of the said lands and the revenue records show that they are in enjoyment and possession for more than 60 years. However, the petitioners have received notice from the 1st respondent under Section 7(3) of A.P.Public Premises (Eviction of Unauthorized Occupants) Act, 1968 alleging that they are in possession of Government land admeasuring Ac.Ac.0-75 cents. The petitioners have given reply to the said show-cause notice through their lawyer by way of legal notice, dated 13-07-2015, which is said to have been acknowledged by the 1st respondent on 14-07-2015. The present writ petition is filed alleging that no orders are passed in pursuance of the said notice and that the 1st respondent would likely to dispossess the petitioners without considering their explanation.

I see no reason for such an apprehension, as the provisions of the A.P.Public Premises (Eviction of Unauthorized Occupants) Act, 1968, envisage issuance of notice, consideration of explanation and then passing of appropriate orders.

However, since it is stated that one of the petitioners is a senior citizen and threat of dispossession exists, I deem it appropriate to dispose of the writ petition by directing the 1st respondent to consider the petitioners' aforesaid reply in the light of material on record and pass appropriate orders with regard to notice issued by him, as referred to above. Till the 1st respondent passes appropriate orders, he shall not interfere with the possession of the petitioners with respect of the lands claimed by them in the aforesaid survey numbers.

Accordingly, the writ petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

VILAS V.AFZULPURKAR, J

Date: 22-07-2015

Note:

Issue C.C. in three days

(B/o)

Prv

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

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22-07-2015