

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH
(Special Original Jurisdiction)

FRIDAY, THE SIXTH DAY OF FEBRUARY,
TWO THOUSAND AND FIFTEEN
PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.2431 of 2015

BETWEEN

Y.Venkat Reddy

... PETITIONER

AND

The State of Andhra Pradesh, Rep. by its Principal Secretary, Secretariat,
Hyderabad and others.

...RESPONDENTS

The Court made the following:

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ORDER:

Heard.

2. Alleging that respondent No.2 has given the impugned notice, dated 12.01.2015 treating the petitioner as an encroacher and inviting him to remove the structures, petitioner has approached this court by this writ petition.

3. Evidently, the impugned proceeding is in the nature of a notice and the petitioner is described as an encroacher obstructing the traffic.

Since the petitioner has not been heard before directing him to remove the structure, in my view, interest of justice would be served by permitting him to make detailed representation before respondent No.2 with respect to his

ownership and possession.

4. Writ petition is, accordingly, disposed of permitting the petitioner to make detailed representation before respondent No.2 within one week. Respondent No.2 shall thereafter consider the same and pass appropriate orders within two weeks thereafter, in accordance with law. Till passing of appropriate orders, however, petitioner's premises covered by the said impugned notice shall not be removed or demolished.

As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

February 6, 2015
LMV