

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.16471 OF 2014

O R D E R:

With the consent of the parties the writ petition itself is being disposed of.

The petitioner by way of Writ Petition challenged the Notice, dated 18.12.2012 issued by the 4th respondent-Tahasildar, under Section 7 of the Land Encroachment Act, 1905 (in short “the Act”) alleging that he is in occupation of the government land over an extent of Ac.2-31 guntas situated in Sy.No.852 of Madnoor Village and Mandal, Nizamabad District.

It is the specific case of the petitioner that on 28.12.2012 a detailed representation has been submitted by him to the 4th respondent, and without passing orders on the said representation and without giving any opportunity to the petitioner the revenue authorities by declaring the same as Government land and insisting the third parties to occupy the land. These allegations are denied by the learned Assistant Government Pleader for Revenue (Telangana) on instructions.

The grievance of the petitioner is being limited and as on today admittedly no orders having been passed no useful purpose would be served by keeping the petition pending. However, considering the respective submissions, I deem it appropriate to dispose of the petition with a direction to the respondents not to interfere and dispossess the petitioner without passing final orders on the objections filed by the petitioner to the impugned notice. Petitioner shall also be given

an adequate opportunity to make his submissions both oral and written, if any, in addition to what has already been made earlier. If the petitioner is aggrieved with the order of the respondents, he may avail all the remedies available under the Act.

With the above direction, the Writ petition is disposed of. There shall be no order as to costs. Miscellaneous petitions pending, if any, shall stand closed.

CHALLA KODANDA RAM, J

Dated:04.02.2015.

Ssv