

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH

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WRIT PETITION No. 33579 of 2015

BETWEEN

Dandu Lakshmi

... PETITIONER

AND

The Special Grade Deputy Collector & Revenue Divisional Officer and others

...RESPONDENTS

Date of Order pronounced: 12.10.2015

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

1. Whether Reporters of Local newspapers Yes/No

may be allowed to see the Judgments?

2. Whether the copies of judgment may be Yes/No

marked to Law Reporters/Journals?

3. Whether his Lordship wish to see the Yes/No

fair copy of the Judgment?

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ORDER:-

Heard learned counsel for the petitioner and learned government pleader for Revenue.

2. Aggrieved by the notice of eviction issued by the second respondent dated 26.09.2015 alleging encroachment and directing eviction of the petitioner within 15 days, petitioner has filed the present writ petition.

3. Learned Government Pleader for Revenue, on instructions, confirms that no prior notice was given to the petitioner and therefore submits that the competent authority shall give appropriate notice to the petitioner briefly indicating the grounds on which the action is proposed, so as to enable her to file explanation and thereafter the competent authority shall consider the said explanation and pass appropriate further orders, if warranted on the facts of the case.

4. It is not in dispute that this writ petition is similar to the one considered by this court in W.P.No.30844 of 2015 dated 23.09.2015.

5. Hence, following the order in W.P.No.30844 of 2015, this writ petition is also allowed and the impugned notice is set aside.

The competent authority shall, however, be at liberty to follow due process of law, if any action is intended to be taken against the petitioners.

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

VILAS V. AFZULPURKAR, J

October 12, 2015

LMV