

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.27168 of 2015

ORDER:

Heard.

It appears that the petitioner was given a notice under Section 7 of the A.P.Land Encroachment Act, 1905 (for short 'the Act'). He, thereafter, made a representation on 03-06-2015 before the 2nd respondent requesting for regularisation in respect of the land admeasuring Ac.2-00 cents in Sy.No.72 situated at Jangamreddypalli Village, Simahadripuram Mandal, YSR District, which is adjacent to his patta land. The said representation was forwarded by the 2nd respondent to the 4th respondent asking him to submit report vide proceedings, dated 21-07-2015.

The grievance of the petitioner is that the 4th respondent is not sending any report in response to the said proceedings of the 2nd respondent and thereby, the petitioner's application for regularization is not being considered by the 2nd respondent.

Learned Government Pleader has received instructions from the 4th respondent, which interlia state that the petitioner was already given notice under Section 7 of the Act and his allegation that he is enjoying the land in question since twenty years is denied. However, to the extent of his request for regularisation, the instructions state that the petitioner was already given an endorsement stating that the villagers are objecting his encroachment and hence, it cannot be regularized.

However, learned counsel for the petitioner states that no such endorsement was communicated to the petitioner nor it is forwarded to the 2nd respondent as per the requisition of the 2nd respondent, dated 21-07-2015.

In the circumstances, the 4th respondent is directed to forward his report to the 2nd respondent in response to the requisition of the 2nd respondent,

dated 21-07-2015, if already such report is not submitted to the 2nd respondent. As and when such report is received, the 2nd respondent is directed to examine the petitioner's request, in the light of the said report and other circumstances and take appropriate decision in the matter and communicate the same to the petitioner, expeditiously.

Accordingly, the writ petition is disposed of. No order as to costs.

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

VILAS V.AFZULPURKAR, J

Date: 21-09-2015

Prv

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