

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

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WRIT PETITION No.25696 OF 2015

Between:

Merreddy Narender Reddy and others.

.. Petitioners

And

The State of Telangana and others.

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 14-08-2015

SUBMITTED FOR APPROVAL:

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

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| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgment? | Yes/No |
| 2. Whether the copies of judgment may be
marked to Law Reporters/Journals | Yes/No |
| 3. Whether Their Lordship wish to
see the fair copy of the Judgment? | Yes/No |

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.25696 of 2015

ORDER:

Heard.

The petitioners question the notice, dated 05-08-2015, issued under Section 7 of the A.P.Land Encroachment Act (for short 'the Act') by the 4th respondent alleging that they have encroached the land admeasuring 3000 sq. yards and made illegal construction in the land falling under FTL of Cherlapally Village. The petitioners state that there is no basis for the said notice, as the land on which the structures are made, was duly converted into non-agricultural land vide proceedings No.E/2336/2012, dated 27-06-2012, issued by the 3rd respondent and thereafter, construction has been made, after obtaining necessary permission from the Gram Panchayat, Cherlapally. The petitioners also dispute that their land is part of FTL and on the contrary, they state that Sy.No.26 relates to FTL and it is no way concerned with them.

Since the petitioners are only given a notice under Section 7 of the Land Encroachment Act, I am not inclined to entertain the writ petition. The petitioners are given liberty to submit their objections in response to the said notice by raising all the pleas, which they have raised in this writ petition. The petitioners are granted a week's time from today to submit their objections and the 4th respondent shall consider the same and pass appropriate orders. Till passing appropriate orders by the 4th respondent, there shall be no demolition of the petitioners' structures nor any attempt to dispossess the petitioners. The petitioners are at liberty to seek an opportunity of hearing before the 4th respondent, so that the matter can be effectively examined by the 4th respondent.

Accordingly, the writ petition is disposed of. No costs.

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

VILAS V.AFZULPURKAR, J

Date: 14-08-2015

Prv

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.25696 of 2015

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14-08-2015

Prv