

THE HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

WRIT PETITION No.13688 of 2015

ORDER:

Petitioner claims to be in possession of the land in Sy.No.211 of Medapi Village, Tripuranthakam Mandal, Prakasam District, by constructing a house therein. He states that the subject house was constructed about 30 years ago and at no point of time, none of the authorities including Gram Panchayat authorities have raised objection about his possession. While so, the 4th respondent issued notice dated 16.03.2015, alleging that the petitioner has made constructions by encroaching the road margin and directed him to submit his explanation as to why the said constructions shall not be removed. The petitioner states that pursuant to the said notice, he submitted his explanation on 23.03.2015, but without considering the same and passing final orders, the 4th respondent is trying to demolish the structures highhandedly. He, therefore, filed the present writ petition seeking to declare the said action of the 4th respondent as illegal and arbitrary and consequently direct the 4th respondent not to take any coercive steps without following due process of law.

Heard the learned counsel for the petitioner and Sri G. Seshadri, learned Standing Counsel appearing for respondent No.4.

In the facts and circumstances of the case, if the petitioner has submitted his explanation to the show-cause notice dated 16.03.2015, the 4th respondent shall consider the same and take appropriate decision in accordance with law within a period of three weeks from the date of receipt of a copy of this order. Till such time, status quo obtaining as on today shall be maintained. It is made clear that if no explanation is filed by the petitioner, it is open for the 4th respondent to proceed further in the matter in accordance with law.

The writ petition is accordingly disposed of. No order as to costs.

As a sequel, pending miscellaneous petitions, if any, shall stand closed.

A. RAJASHEKER REDDY, J

1st May, 2015

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