

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.30936 of 2015

ORDER:

Heard.

The petitioner is aggrieved by the notice issued to him under Section 7 of the A.P.Land Encroachment Act, 1905 (for short 'the Act') by the 3rd respondent on 21-08-2015. The petitioner has already filed his reply on 06-09-2015, which was acknowledged by the 3rd respondent on 14-09-2015.

Learned counsel for the petitioner, however questions the impugned notice on the ground that earlier similar proceeding was taken up and on appeal, the Sub-Collector, Warangal, vide order dated 08-12-1978 set aside the impugned order therein on the ground that no proper enquiry was conducted and that the 3rd respondent was directed to conduct fresh enquiry and take a decision keeping in view the latest survey.

Learned counsel for the petitioner states that after lapse of over a decade, the present enquiry is again initiated.

However, I am unable to see how the petitioner can question the impugned notice, as the 3rd respondent undoubtedly has jurisdiction to issue notice under Section 7 of the Act and that the petitioner has already submitted a reply to the said show-cause notice.

Hence, while no reasons exist to entertain the writ petition, the 3rd respondent is directed to consider the reply of the petitioner and pass appropriate reasoned order.

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: 22-09-2015

Prv

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.30936 of 2015

22-09-2015