

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WRIT PETITION No.2117 of 2016

ORDER:

Heard learned counsel for the petitioner and the learned Government Pleader for Revenue.

The petitioners claim to be holding house pattas issued wayback in the year 1990 and some of them claim to have constructed houses. As the respondents are trying to demolish the houses of the petitioners without following due process of law, they filed the present writ petition.

Learned Government Pleader has received instructions and states that the land admeasuring Ac.0-61½ cents in Sy.No.154-1 is classified as Cheruvu Poramboke. Hence, notices under Section 7 of the A.P.Land Encroachment Act were issued to the occupants on 11-05-2015 followed by notices under Section 6 dated 18-05-2015 and as most of the petitioners refused to receive the notices, substitute service was affected. The issue is stated to be pending with the 2nd respondent, who is stated to have called upon the 3rd respondent to submit a detailed report and awaiting instructions and orders from the 2nd respondent. Further action in pursuance of Section 7 and Section 6 notices is kept in abeyance.

Hence, for the present, the grievance of the petitioners that the respondents are trying to demolish their houses appears to be not correct, as Sections 6 and 7 notices are kept in abeyance awaiting further orders from the 2nd respondent. Hence, it is appropriate to direct that if any action is intended to be taken by the 3rd respondent against the petitioners, the same shall be done only after the 2nd respondent takes appropriate decision in the matter. The 2nd respondent is directed to take appropriate action as per law and the same shall be intimated by the 3rd

respondent to the petitioners.

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

Miscellaneous petitions, if any, pending shall stand closed. No order as to costs.

VILAS V.AFZULPURKAR, J

27.01.2016

Prv

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WRIT PETITION No.2177 of 2016

27-01-2016

Prv