

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

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WRIT PETITION No.2825 of 2016

BETWEEN

Smt. M. Anjamma and another.

... PETITIONERS

AND

The State of Telangana Pradesh, Rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad and others.

...RESPONDENTS

DATE OF JUDGMENT PRONOUNCED: 01.02.2016

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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

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ORDER:

Petitioners question the notice issued under Section 7 of the Land Encroachment Act dated 07.12.2015. Petitioners submit that the aforesaid notice was issued at the instance of the sixth respondent and further submit that there is no reason to declare the land, in question,

as encroached land or wakf land and places strong reliance upon the occupancy rights certificate issued by the competent authority under the A.P. Telangana Area (Abolition of Inams) Act. Petitioners have already filed a detailed explanation dated 09.12.2015 to the impugned notice before the fifth respondent making all the averments with regard to occupancy rights certificate etc. The said representation is under consideration by the fifth respondent.

2. Hence, at this stage, I do not see any reason to entertain the writ petition, as the fifth respondent is duty bound to consider the said representation of the petitioners on merits and while taking appropriate decision, shall pass a reasoned order.

3. In view of the above, the fifth respondent is directed to examine the representation of the petitioners, as above and deal with the same by passing a reasoned order and communicate the decision to the petitioners. In view of the averments of the petitioners that they are in long standing possession of the land, in question, if any adverse order is passed against the petitioners, the same shall not be enforced for a period of two (2) weeks thereafter to enable petitioners to avail appropriate further remedies.

The writ petition is disposed of. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

February 1, 2016
DSK

