

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.39486 of 2016

ORDER:

Heard learned counsel for petitioner, learned Assistant Government Pleader for the 2nd respondent and Mr. A. Srikanth Reddy, learned Standing Counsel for the 3rd respondent Temple.

Petitioner challenges notice, dated 09.09.2016, issued by the 3rd respondent. The complaint of the petitioner is that the 3rd respondent – Temple, after conclusively deciding that the occupation of petitioner of schedule mentioned property is illegal and not under authority, straightaway directed eviction without affording opportunity and the same is contrary to the order passed by this Court in W.P.No.15579 of 1989.

With the assistance of learned counsel for petitioner, I have perused the notice, dated 09.09.2016. 15 days time has been given for eviction and if at all the petitioner had valid objection, he ought to have availed the time granted by the authority, submitted the explanation and invited order on merits both in fact and law.

Be that as it may, as a few dates anterior to the issuance of the present notice are stated, this Court to meet the ends of justice, gives liberty to the petitioner to submit explanation within one week from today to the 2nd respondent. The 2nd respondent is directed to consider the explanation submitted by the petitioner and pass orders in accordance with law, within three (3) weeks thereafter. The parties are directed to maintain status quo for a period of four (4) weeks from today.

Writ Petition is, accordingly, disposed of. Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs

RAJA ELANGO,J

Date: 16th November, 2016

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